

# HOUSE BILL No. 1275

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-1-8-1; IC 4-31; IC 4-33; IC 4-35; IC 4-36; IC 6-1.1; IC 6-3.1-20-7; IC 6-8.1-1-1; IC 6-9; IC 7.1-2-3-16.5; IC 7.1-3; IC 7.1-5-12-5; IC 8-18-8-5; IC 10-13-3-6; IC 12-13-14-4.5; IC 12-23-2; IC 20-26-5; IC 20-47-1; IC 34-30-2-6.5; IC 35-45-5-10; IC 35-52-4; IC 36-1; IC 36-4-8-15.5; IC 36-7; IC 36-7.5.

**Synopsis:** Casino regulation. Removes restrictions on where gambling may occur. Authorizes table games at racinos. Changes "riverboat" references to "casino". Repeals statutes specifically concerning riverboats. Repeals the riverboat admissions tax and distribution of admissions tax revenue to municipalities. Repeals the statute limiting the number of slot machines at a racino. Provides that the gaming commission shall not reject an application for a license to operate a casino based on the location of the proposed casino. Repeals language requiring cities and counties to approve ordinances and referenda for riverboat gaming. Repeals language that specifically applies to locations where riverboats currently are located. Repeals language concerning flexible scheduling on riverboats. Provides that a racino is not required to maintain horseracing at the racetrack as a condition of maintaining a license to conduct gambling games. Removes the restriction on the number of slot machines at a racino. Prohibits the gaming commission from considering market and competitive concerns in approving new casino licenses. Removes the riverboat admissions tax revenue from the statute concerning tax credits for property taxes paid on homesteads. Provides that the effective date of this bill is July 1, 2024.

**Effective:** July 1, 2024.

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## Huston

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January 13, 2015, read first time and referred to Committee on Public Policy.

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First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## HOUSE BILL No. 1275

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A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 4-1-8-1, AS AMENDED BY P.L.85-2013,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]: Sec. 1. (a) No individual may be compelled by any  
4 state agency, board, commission, department, bureau, or other entity of  
5 state government (referred to as "state agency" in this chapter) to  
6 provide the individual's Social Security number to the state agency  
7 against the individual's will, absent federal requirements to the  
8 contrary. However, the provisions of this chapter do not apply to the  
9 following:  
10 (1) Department of state revenue.  
11 (2) Department of workforce development.  
12 (3) The programs administered by:  
13 (A) the division of family resources;  
14 (B) the division of mental health and addiction;  
15 (C) the division of disability and rehabilitative services;



(D) the division of aging; and

(E) the office of Medicaid policy and planning;

of the office of the secretary of family and social services.

(4) Auditor of state.

(5) State personnel department.

(6) Secretary of state, with respect to the registration of broker-dealers, agents, and investment advisors.

(7) The legislative ethics commission, with respect to the registration of lobbyists.

(8) Indiana department of administration, with respect to bidders on contracts.

(9) Indiana department of transportation, with respect to bidders on contracts.

(10) Indiana professional licensing agency.

(11) Department of insurance, with respect to licensing of insurance producers.

(12) The department of child services.

(13) A pension fund administered by the board of trustees of the Indiana public retirement system.

(14) The state police benefit system.

(15) The alcohol and tobacco commission.

(16) The state department of health, for purposes of licensing radiologic technologists under IC 16-41-35-29(c).

(b) The bureau of motor vehicles may, notwithstanding this chapter, require the following:

(1) That an individual include the individual's Social Security number in an application for an official certificate of title for any vehicle required to be titled under IC 9-17.

(2) That an individual include the individual's Social Security number on an application for registration.

(3) That a corporation, limited liability company, firm, partnership, or other business entity include its federal tax identification number on an application for registration.

(4) That an individual include the individual's Social Security number on an application for a license, a permit, or an identification card.

(c) The Indiana department of administration, the Indiana department of transportation, and the Indiana professional licensing agency may require an employer to provide its federal employer identification number.

(d) The department of correction may require a committed offender to provide the offender's Social Security number for purposes of



1 matching data with the Social Security Administration to determine  
2 benefit eligibility.

3 (e) The Indiana gaming commission may, notwithstanding this  
4 chapter, require the following:

5 (1) That an individual include the individual's Social Security  
6 number:

7 (A) in any application for a ~~riverboat~~ **casino** owner's license,  
8 supplier's license, or occupational license; or

9 (B) in any document submitted to the commission in the  
10 course of an investigation necessary to ensure that gaming  
11 under IC 4-32.2, IC 4-33, and IC 4-35 is conducted with  
12 credibility and integrity.

13 (2) That a sole proprietorship, a partnership, an association, a  
14 fiduciary, a corporation, a limited liability company, or any other  
15 business entity include its federal tax identification number on an  
16 application for a ~~riverboat~~ **casino** owner's license or supplier's  
17 license.

18 (f) Notwithstanding this chapter, the department of education  
19 established by IC 20-19-3-1 may require an individual who applies to  
20 the department for a license or an endorsement to provide the  
21 individual's Social Security number. The Social Security number may  
22 be used by the department only for conducting a background  
23 investigation, if the department is authorized by statute to conduct a  
24 background investigation of an individual for issuance of the license or  
25 endorsement.

26 SECTION 2. IC 4-31-2-7.5 IS ADDED TO THE INDIANA CODE  
27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
28 1, 2024]: **Sec. 7.5. "Gambling game" has the meaning set forth in**  
29 **IC 4-35-2-5.**

30 SECTION 3. IC 4-31-2-20.7 IS REPEALED [EFFECTIVE JULY  
31 1, 2024]. **Sec. 20.7. "Slot machine" refers to a type of electronic gaming**  
32 **device approved by the Indiana gaming commission for wagering under**  
33 **IC 4-35.**

34 SECTION 4. IC 4-31-7-1, AS AMENDED BY P.L.233-2007,  
35 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2024]: **Sec. 1. (a) A person holding a permit to conduct a**  
37 **horse racing meeting or a license to operate a satellite facility may**  
38 **provide a place in the racing meeting grounds or enclosure or the**  
39 **satellite facility at which the person may conduct and supervise the**  
40 **pari-mutuel system of wagering by patrons of legal age on the horse**  
41 **racers conducted or simulcast by the person. The person may not permit**  
42 **or use:**



(1) another place other than that provided and designated by the person; or

(2) another method or system of betting or wagering.

However, a permit holder licensed to conduct gambling games under IC 4-35 may permit wagering on ~~slot machines~~ **gambling games** at a racetrack as permitted by IC 4-35.

(b) Except as provided in section 7 of this chapter and IC 4-31-5.5, the pari-mutuel system of wagering may not be conducted on any races except the races at the racetrack, grounds, or enclosure for which the person holds a permit.

SECTION 5. IC 4-31-9-1, AS AMENDED BY P.L.233-2007, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. A person that holds a permit to conduct a horse racing meeting or a license to operate a satellite facility shall withhold:

(1) eighteen percent (18%) of the total of money wagered on each day at the racetrack or satellite facility (including money wagered on exotic wagering pools, but excluding money wagered on ~~slot machines~~ **gambling games** under IC 4-35); plus

(2) an additional three and one-half percent (3.5%) of the total of all money wagered on exotic wagering pools on each day at the racetrack or satellite facility.

SECTION 6. IC 4-33-1-1, AS AMENDED BY P.L.233-2007, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. This article applies ~~only to the following~~:

~~(1) Counties contiguous to Lake Michigan;~~

~~(2) A county that is:~~

~~(A) contiguous to the Ohio River; and~~

~~(B) described in IC 4-33-6-1(a)(5);~~

~~(3) A county that contains a historic hotel district;~~ **to each county in Indiana.**

SECTION 7. IC 4-33-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. All shipments of gambling devices, including slot machines, to an operating agent or a licensed ~~riverboat~~ **casino** in Indiana, the registering, recording, and labeling of which have been completed by the manufacturer or dealer thereof in accordance with 15 U.S.C. 1171 through 1178, are legal shipments of gambling devices into Indiana.

SECTION 8. IC 4-33-2-5.6 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 5-6: "Cruise" means operation of a riverboat for a gambling operation while the riverboat is not moored to a dock.

SECTION 9. IC 4-33-2-7 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 7: "Dock" means the location where a riverboat moors for



1 the purpose of embarking passengers for and disembarking passengers  
2 from the riverboat.

3 SECTION 10. IC 4-33-2-8 IS REPEALED [EFFECTIVE JULY 1,  
4 2024]. Sec. 8. "Gambling excursion" means the time during which  
5 gambling games may be operated on a riverboat that has not  
6 implemented flexible scheduling under IC 4-33-6-21.

7 SECTION 11. IC 4-33-2-10 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. "Gambling  
9 operation" means the conduct of authorized gambling games ~~on~~ **in** a  
10 riverboat. **casino.**

11 SECTION 12. IC 4-33-2-11.1 IS REPEALED [EFFECTIVE JULY  
12 1, 2024]. Sec. ~~11.1~~. "Historic hotel" means a structure originally built  
13 as a hotel that:

- 14 (1) contained at least three hundred (300) sleeping rooms on or  
15 before January 1, 1930;
- 16 (2) is listed in, or is seeking listing in, the National Register of  
17 Historic Places; and
- 18 (3) was regionally recognized for the mineral springs located on  
19 the property that were thought to have significant health benefits  
20 for the hotel's guests.

21 SECTION 13. IC 4-33-2-11.5 IS REPEALED [EFFECTIVE JULY  
22 1, 2024]. Sec. ~~11.5~~. "Historic hotel district" means a historic hotel  
23 district that is established under IC ~~36-7-11.5~~.

24 SECTION 14. IC 4-33-2-13 IS AMENDED TO READ AS  
25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. "Licensed owner"  
26 means a person that owns a riverboat **casino** that is licensed under this  
27 article.

28 SECTION 15. IC 4-33-2-14.5 IS REPEALED [EFFECTIVE JULY  
29 1, 2024]. Sec. ~~14.5~~. "Operating agent" means a person with whom the  
30 commission has entered into a contract under IC 4-33-6.5 to operate a  
31 riverboat in a historic hotel district.

32 SECTION 16. IC 4-33-2-14.6 IS REPEALED [EFFECTIVE JULY  
33 1, 2024]. Sec. ~~14.6~~. "Operating agent contract" refers to the contract  
34 entered into by the commission under IC 4-33-6.5 with respect to the  
35 operation of a riverboat in a historic hotel district.

36 SECTION 17. IC 4-33-2-15 IS AMENDED TO READ AS  
37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. "Owner's license"  
38 means a license issued under IC 4-33-6 that allows a person to own and  
39 operate a riverboat. **casino.**

40 SECTION 18. IC 4-33-2-17 IS REPEALED [EFFECTIVE JULY 1,  
41 2024]. Sec. ~~17~~. "Riverboat" means any of the following on which  
42 lawful gambling is authorized under this article:



(1) A self-propelled excursion boat located in a county described in IC 4-33-1-1(1) or IC 4-33-1-1(2) that complies with IC 4-33-6-6(a);

(2) A casino located in a historic hotel district;

(3) A permanently moored craft operating from a county described in IC 4-33-1-1(1) or IC 4-33-1-1(2);

SECTION 19. IC 4-33-2-19, AS ADDED BY P.L.142-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 19. "Trustee" means a person granted authority under IC 4-33-21 to conduct gambling operations ~~on in a riverboat~~ **casino** for the mutual benefit of:

(1) the state; and

(2) the owner of the ~~riverboat~~ **casino**.

SECTION 20. IC 4-33-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) The commission has the following powers and duties for the purpose of administering, regulating, and enforcing the system of ~~riverboat~~ **casino** gambling established under this article:

(1) All powers and duties specified in this article.

(2) All powers necessary and proper to fully and effectively execute this article.

(3) Jurisdiction and supervision over the following:

(A) All ~~riverboat~~ **casino** gambling operations in Indiana.

(B) All persons ~~on riverboats in casinos~~ where gambling operations are conducted.

(4) Investigate and reinvestigate applicants and license holders and determine the eligibility of applicants for licenses or operating agent contracts.

~~(5) Select among competing applicants the applicants that promote the most economic development in a home dock area and that best serve the interests of the citizens of Indiana.~~

~~(6)~~ (5) Take appropriate administrative enforcement or disciplinary action against a licensee or an operating agent.

~~(7)~~ (6) Investigate alleged violations of this article.

~~(8)~~ (7) Establish fees for licenses issued under this article.

~~(9)~~ (8) Adopt appropriate standards for the design, appearance, aesthetics, and construction for ~~riverboats~~ **casinos** and facilities.

~~(10)~~ (9) Conduct hearings.

~~(11)~~ (10) Issue subpoenas for the attendance of witnesses and subpoenas duces tecum for the production of books, records, and other relevant documents.

~~(12)~~ (11) Administer oaths and affirmations to the witnesses.



~~(13)~~ **(12)** Prescribe a form to be used by an operating agent or a licensee involved in the ownership or management of gambling operations as an application for employment by potential employees.

~~(14)~~ **(13)** Revoke, suspend, or renew licenses issued under this article.

~~(15)~~ **(14)** Hire employees to gather information, conduct investigations, and carry out other tasks under this article.

~~(16)~~ **(15)** Take any reasonable or appropriate action to enforce this article.

(b) Applicants and license holders shall reimburse the commission for costs related to investigations and reinvestigations conducted under subsection (a)(4).

SECTION 21. IC 4-33-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. The commission shall adopt rules under IC 4-22-2 for the following purposes:

(1) Administering this article.

(2) Establishing the conditions under which ~~riverboat~~ **casino** gambling in Indiana may be conducted.

(3) Providing for the prevention of practices detrimental to the public interest and providing for the best interests of ~~riverboat~~ **casino** gambling.

(4) Establishing rules concerning inspection of ~~riverboats~~ **casinos** and the review of the permits or licenses necessary to operate a ~~riverboat~~ **casino**.

(5) Imposing penalties for noncriminal violations of this article.

**(6) Establishing rules for:**

**(A) hearings on; and**

**(B) reviewing applications for;**

**new casino gambling anywhere in Indiana.**

SECTION 22. IC 4-33-4-3, AS AMENDED BY P.L.142-2009, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The commission shall do the following:

(1) Adopt rules that the commission determines necessary to protect or enhance the following:

(A) The credibility and integrity of gambling operations authorized by this article.

(B) The regulatory process provided in this article.

(2) Conduct all hearings concerning civil violations of this article.

(3) Provide for the establishment and collection of license fees and taxes imposed under this article.

(4) Deposit the license fees and taxes in the state gaming fund





established by IC 4-33-13.

(5) Levy and collect penalties for noncriminal violations of this article.

(6) Deposit the penalties in the state gaming fund established by IC 4-33-13.

(7) Be present through the commission's gaming agents during the time gambling operations are conducted ~~on~~ **in a riverboat casino** to do the following:

(A) Certify the revenue received by a ~~riverboat~~ **casino**.

(B) Receive complaints from the public.

(C) Conduct other investigations into the conduct of the gambling games and the maintenance of the equipment that the commission considers necessary and proper.

(8) Adopt emergency rules under IC 4-22-2-37.1 if the commission determines that:

(A) the need for a rule is so immediate and substantial that rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36 are inadequate to address the need; and

(B) an emergency rule is likely to address the need.

(9) Adopt rules to establish and implement a voluntary exclusion program that meets the requirements of subsection (c).

(10) Establish the requirements for a power of attorney submitted under IC 4-33-6-2(c), IC 4-33-6-22, IC 4-33-6.5-2(c), or IC 4-33-6.5-16.

**(11) Conduct hearings on and review applications for new casinos.**

(b) The commission shall begin rulemaking procedures under IC 4-22-2-13 through IC 4-22-2-36 to adopt an emergency rule adopted under subsection (a)(8) not later than thirty (30) days after the adoption of the emergency rule under subsection (a)(8).

(c) Rules adopted under subsection (a)(9) must provide the following:

(1) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program agrees to refrain from entering a ~~riverboat~~ **casino** or other facility under the jurisdiction of the commission.

(2) That the name of a person participating in the program will be included on a list of persons excluded from all facilities under the jurisdiction of the commission.

(3) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program may not petition the commission for readmittance to a facility under the



jurisdiction of the commission.

(4) That the list of patrons entering the voluntary exclusion program and the personal information of the participants are confidential and may only be disseminated by the commission to the owner or operator of a facility under the jurisdiction of the commission for purposes of enforcement and to other entities, upon request by the participant and agreement by the commission.

(5) That an owner of a facility under the jurisdiction of the commission shall make all reasonable attempts as determined by the commission to cease all direct marketing efforts to a person participating in the program.

(6) That an owner of a facility under the jurisdiction of the commission may not cash the check of a person participating in the program or extend credit to the person in any manner. However, the voluntary exclusion program does not preclude an owner from seeking the payment of a debt accrued by a person before entering the program.

**(d) The commission may not consider market and competitive concerns in approving new casinos under subsection (a)(11).**

SECTION 23. IC 4-33-4-3.5, AS AMENDED BY P.L.170-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3.5. The commission shall employ gaming agents to perform the duties imposed by this chapter. The licensed owners and operating agents shall, in the manner prescribed by the rules of the commission, reimburse the commission for:

- (1) the training expenses incurred to train gaming agents;
- (2) the salaries and other expenses of staff required to support the gaming agents; and
- (3) the salaries and other expenses of the gaming agents required to be present during the time gambling operations are conducted on in a riverboat casino.

SECTION 24. IC 4-33-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The commission may enter an office, a riverboat casino, a facility, or other premises of an operating agent or a person holding an owner's, or supplier's license where evidence of the compliance or noncompliance with this article is likely to be found.

SECTION 25. IC 4-33-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The commission may eject or exclude or authorize the ejection or exclusion of a person from riverboat casino gambling facilities if:

- (1) the person's name is on the list of persons voluntarily



1 excluding themselves from all riverboats in a program established  
 2 under the rules of the commission;

3 (2) the person violates this article; or

4 (3) the commission determines that the person's conduct or  
 5 reputation is such that the person's presence within the **riverboat**  
 6 **casino** gambling facilities may:

7 (A) call into question the honesty and integrity of the gambling  
 8 operations; or

9 (B) interfere with the orderly conduct of the gambling  
 10 operations.

11 (b) A person, other than a person participating in a voluntary  
 12 exclusion program, may petition the commission for a hearing on the  
 13 person's ejection or exclusion under this section.

14 SECTION 26. IC 4-33-4-9 IS AMENDED TO READ AS  
 15 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. The commission  
 16 shall require an owner or operating agent conducting gambling games  
 17 to use a cashless wagering system in which a player's money is  
 18 converted to tokens, electronic cards, or chips that may be used only for  
 19 wagering ~~on in the riverboat casino.~~

20 SECTION 27. IC 4-33-4-10 IS REPEALED [EFFECTIVE JULY 1,  
 21 2024]. ~~Sec. 10: If a riverboat cruises, the commission shall authorize~~  
 22 ~~the route of the riverboat and the stops, if any, that the riverboat may~~  
 23 ~~make while on a cruise.~~

24 SECTION 28. IC 4-33-4-13 IS REPEALED [EFFECTIVE JULY 1,  
 25 2024]. ~~Sec. 13: (a) This section does not apply to a riverboat located in~~  
 26 ~~a historic hotel district.~~

27 (b) After consulting with the United States Army Corps of  
 28 Engineers, the commission may do the following:

29 (1) Determine the waterways that are navigable waterways for  
 30 purposes of this article:

31 (2) Determine the navigable waterways that are suitable for the  
 32 operation of riverboats under this article:

33 (3) Approve a plan submitted under IC 4-33-6-23 for:

34 (A) the construction of a new permanently moored craft; or

35 (B) the conversion of a self-propelled excursion boat into a  
 36 permanently moored craft.

37 (c) In determining the navigable waterways on which riverboats may  
 38 operate, the commission shall do the following:

39 (1) Obtain any required approvals from the United States Army  
 40 Corps of Engineers for the operation of riverboats on those  
 41 waterways.

42 (2) Consider the economic benefit that riverboat gambling



provides to Indiana:

(3) Seek to ensure that all regions of Indiana share in the economic benefits of riverboat gambling:

SECTION 29. IC 4-33-4-13.5 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 13.5: The commission shall:

(1) determine the appropriate marine structural and life safety standards for a permanently moored craft approved under section 13 of this chapter; and

(2) establish maintenance requirements and an inspection schedule to enforce the standards:

This section does not require a licensed owner converting a self-propelled excursion boat into a permanently moored craft to substantially alter the marine structural and life safety systems of the excursion boat that were required to comply with IC 4-33-6-6 if the self-propelled excursion boat was in service before January 1, 2011:

SECTION 30. IC 4-33-4-14 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 14: The commission may adopt emergency orders under IC 4-21.5-4 concerning navigability of waterways for extreme weather conditions or other extreme circumstances:

SECTION 31. IC 4-33-4-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. The commission shall annually do the following:

(1) Review the patterns of wagering and wins and losses by persons **on riverboat in casino** gambling operations under this article.

(2) Make recommendations to the governor and the general assembly concerning whether limits on wagering losses should be imposed.

SECTION 32. IC 4-33-4-19 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 19: The commission shall revoke the license of a licensee who operates a riverboat upon Patoka Lake if that licensee violates any of the following:

(1) IC 14-26-2-7:

(2) IC 14-26-2-23:

(3) IC 14-28-1:

SECTION 33. IC 4-33-4-21.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 21.2. (a) The Indiana gaming commission shall require a licensed owner or an operating agent to conspicuously display the number of the toll free telephone line **to provide the public with information about compulsive gambling** described in IC 4-33-12-6 in the following locations:

(1) On each admission ticket to a riverboat if tickets are issued:



(2) on a poster or placard that is on display in a public area of each ~~riverboat~~ **casino** where gambling games are conducted.

(b) The toll free telephone line described in ~~IC 4-33-12-6~~ **subsection (a)** must be:

(1) maintained by the division of mental health and addiction under IC 12-23-1-6; and

(2) funded by the addiction services fund established by IC 12-23-2-2.

(c) The commission may adopt rules under IC 4-22-2 necessary to carry out this section.

SECTION 34. IC 4-33-4-24, AS ADDED BY P.L.182-2009(ss), SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 24. The commission may not do the following:

(1) Impose by rule a fee that is not authorized by this article on any party to a proposed transfer of an ownership interest in a ~~riverboat~~ **casino** owner's license or an operating permit.

(2) Make the commission's approval of a proposed transfer of an ownership interest in a ~~riverboat~~ **casino** owner's license or an operating permit contingent upon the payment of any amount that is not authorized by this article.

**(3) Reject an application for a license to operate a casino based on the location of a proposed casino.**

SECTION 35. IC 4-33-4-24.2, AS ADDED BY P.L.142-2009, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 24.2. The executive director shall establish a model power of attorney setting forth the terms and conditions under which a trustee may conduct gambling operations ~~on~~ **in** a ~~riverboat~~ **casino** under IC 4-33-21. The executive director may provide a copy of the model power of attorney to any interested party.

SECTION 36. IC 4-33-4-25, AS ADDED BY P.L.142-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 25. (a) The commission may appoint a person to serve as a temporary trustee for a particular ~~riverboat~~ **casino** if the commission makes the following findings:

(1) That circumstances requiring a trustee to assume control of the ~~riverboat~~ **casino** are likely to occur.

(2) That the commission has not approved a power of attorney identifying any other person to serve as the trustee for the ~~riverboat~~ **casino**.

(3) That there is not enough time to consider and approve a power of attorney with respect to the ~~riverboat~~ **casino** before the circumstances found likely to occur under subdivision (1) will



1 occur.

2 (b) A person appointed under this section must be qualified to  
3 perform any duty described in this section or IC 4-33-21.

4 (c) A trustee appointed by the commission under this section shall  
5 serve until any of the following occurs:

6 (1) The commission adopts a resolution under IC 4-33-21-3  
7 authorizing a trustee appointed by an approved power of attorney  
8 to conduct gambling operations under IC 4-33-21 ~~on~~ **in the**  
9 ~~riverboat casino.~~

10 (2) The commission revokes the trustee's authority to conduct  
11 gambling operations under IC 4-33-21-12.

12 (3) A new licensed owner or operating agent assumes control of  
13 the ~~riverboat casino.~~

14 (d) A trustee appointed by the commission under this section shall  
15 exercise the trustee's powers in accordance with:

16 (1) the model power of attorney established by the executive  
17 director under section 24.2 of this chapter; and

18 (2) IC 4-33-21.

19 SECTION 37. IC 4-33-5-1, AS AMENDED BY P.L.229-2013,  
20 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2024]: Sec. 1. An applicant for a license or an operating agent  
22 contract under this article must provide the following information to  
23 the commission:

24 (1) The name, business address, and business telephone number  
25 of the applicant.

26 (2) An identification of the applicant.

27 (3) The following information for an applicant that is not an  
28 individual:

29 (A) The state of incorporation or registration.

30 (B) The names of all corporate officers.

31 (C) The identity of the following:

32 (i) Any person in which the applicant has an equity interest  
33 of at least one percent (1%) of all shares. The identification  
34 must include the state of incorporation or registration if  
35 applicable. However, an applicant that has a pending  
36 registration statement filed with the Securities and Exchange  
37 Commission is not required to provide information under  
38 this item.

39 (ii) The shareholders or participants of the applicant. An  
40 applicant that has a pending registration statement filed with  
41 the Securities and Exchange Commission is required to  
42 provide only the names of persons holding an interest of



- 1 more than one percent (1%) of all shares.
- 2 (4) An identification of any business, including the state of
- 3 incorporation or registration if applicable, in which an applicant
- 4 or the spouse or children of an applicant has an equity interest of
- 5 more than one percent (1%) of all shares.
- 6 (5) If the applicant has been indicted, been convicted, pleaded
- 7 guilty or nolo contendere, or forfeited bail concerning a criminal
- 8 offense other than a traffic violation under the laws of any
- 9 jurisdiction. The applicant must include the following information
- 10 under this subdivision:
- 11 (A) The name and location of the following:
- 12 (i) The court.
- 13 (ii) The arresting agency.
- 14 (iii) The prosecuting agency.
- 15 (B) The case number.
- 16 (C) The date and type of offense.
- 17 (D) The disposition of the case.
- 18 (E) The location and length of incarceration.
- 19 (6) If the applicant has had a license or certificate issued by a
- 20 licensing authority in Indiana or any other jurisdiction denied,
- 21 restricted, suspended, revoked, or not renewed. An applicant must
- 22 provide the following information under this subdivision:
- 23 (A) A statement describing the facts and circumstances
- 24 concerning the denial, restriction, suspension, revocation, or
- 25 nonrenewal.
- 26 (B) The date each action described in clause (A) was taken.
- 27 (C) The reason each action described in clause (A) was taken.
- 28 (7) If the applicant has:
- 29 (A) filed or had filed against the applicant a proceeding in
- 30 bankruptcy; or
- 31 (B) been involved in a formal process to adjust, defer,
- 32 suspend, or work out the payment of a debt;
- 33 including the date of filing, the name and location of the court,
- 34 and the case and number of the disposition.
- 35 (8) If the applicant has filed or been served with a complaint or
- 36 notice filed with a public body concerning:
- 37 (A) a delinquency in the payment of; or
- 38 (B) a dispute over a filing concerning the payment of;
- 39 a tax required under federal, state, or local law, including the
- 40 amount, type of tax, the taxing agency, and times involved.
- 41 (9) A statement listing the names and titles of public officials or
- 42 officers of units of government and relatives of the public officials



or officers who directly or indirectly:

- (A) have a financial interest in;
- (B) have a beneficial interest in;
- (C) are the creditors of;
- (D) hold a debt instrument issued by; or
- (E) have an interest in a contractual or service relationship with;

an applicant.

(10) If an applicant for an operating agent contract or an owner's or a supplier's license has directly or indirectly made a political contribution, loan, donation, or other payment to a candidate or an office holder in Indiana not more than five (5) years before the date the applicant filed the application. An applicant must provide information concerning the amount and method of a payment described in this subdivision.

(11) The name and business telephone number of the attorney who will represent the applicant in matters before the commission.

(12) A description of a proposed or an approved **riverboat casino** gaming operation, including the following information:

- ~~(A)~~ ~~The type of riverboat.~~
- ~~(B)~~ ~~(A)~~ The ~~site or home dock~~ location of the **riverboat casino**.
- ~~(C)~~ ~~(B)~~ The expected economic benefit to local communities.
- ~~(D)~~ ~~(C)~~ The anticipated or actual number of employees.
- ~~(E)~~ ~~(D)~~ Any statements from the applicant concerning compliance with federal and state affirmative action guidelines.
- ~~(F)~~ ~~(E)~~ Anticipated or actual admissions.
- ~~(G)~~ ~~(F)~~ Anticipated or actual adjusted gross gaming receipts.

(13) A description of the product or service to be supplied by the applicant if the applicant has applied for a supplier's license.

(14) The following information from each licensee or operating agent involved in the ownership or management of gambling operations:

- (A) An annual balance sheet.
- (B) An annual income statement.
- (C) A list of the stockholders or other persons having at least a one percent (1%) beneficial interest in the gambling activities of the person who has been issued the owner's license or operating agent contract.
- (D) Any other information the commission considers





necessary for the effective administration of this article.

SECTION 38. IC 4-33-6-1 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 1: (a) The commission may issue to a person a license to own a riverboat subject to the numerical and geographical limitation of owner's licenses under this section; section 3.5 of this chapter; and IC 4-33-4-17. However, not more than ten (10) owner's licenses may be in effect at any time. Those ten (10) licenses are as follows:

(1) Two (2) licenses for a riverboat that operates from the city of Gary.

(2) One (1) license for a riverboat that operates from the city of Hammond.

(3) One (1) license for a riverboat that operates from the city of East Chicago.

(4) One (1) license for a city located in the counties described under IC 4-33-1-1(1). This license may not be issued to a city described in subdivisions (1) through (3).

(5) A total of five (5) licenses for riverboats that operate upon the Ohio River from the following counties:

(A) Vanderburgh County.

(B) Harrison County.

(C) Switzerland County.

(D) Ohio County.

(E) Dearborn County.

The commission may not issue a license to an applicant if the issuance of the license would result in more than one (1) riverboat operating from a county described in this subdivision.

(b) In addition to its power to issue owner's licenses under subsection (a); the commission may also enter into a contract under IC 4-33-6.5 with respect to the operation of one (1) riverboat on behalf of the commission in a historic hotel district.

(c) A person holding an owner's license may not move the person's riverboat from the county in which the riverboat was docked on January 1, 2007; to any other county.

SECTION 39. IC 4-33-6-2, AS AMENDED BY P.L.142-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) A person applying for an owner's license under this chapter must pay a nonrefundable application fee to the commission. The commission shall determine the amount of the application fee.

(b) An applicant must submit the following on forms provided by the commission:

(1) If the applicant is an individual, two (2) sets of the individual's



fingerprints.

(2) If the applicant is not an individual, two (2) sets of fingerprints for each officer and director of the applicant.

(c) This subsection applies to an applicant who applies after June 30, 2009, for an owner's license. An applicant shall submit for the approval of the commission a written power of attorney identifying the person who, if approved by the commission, would serve as the applicant's trustee to operate the ~~riverboat~~ **casino**. The power of attorney submitted under this subsection must:

(1) be executed in the manner required by IC 30-5;

(2) describe the powers that may be delegated to the proposed trustee;

(3) conform with the requirements established by the commission under IC 4-33-4-3(a)(10); and

(4) be submitted on the date that the applicant pays the application fee described in subsection (a).

(d) The commission shall review the applications for an owner's license under this chapter and shall inform each applicant of the commission's decision concerning the issuance of the owner's license.

(e) The costs of investigating an applicant for an owner's license under this chapter shall be paid from the application fee paid by the applicant.

(f) An applicant for an owner's license under this chapter must pay all additional costs that are:

(1) associated with the investigation of the applicant; and

(2) greater than the amount of the application fee paid by the applicant.

SECTION 40. IC 4-33-6-3.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3.5. (a) For purposes of this section, a person is considered to have an ownership interest in a ~~riverboat~~ **casino** owner's license if the interest is owned directly or indirectly by the person or by an entity controlled by the person.

(b) A person may have up to a one hundred percent (100%) ownership interest in not more than two (2) ~~riverboat~~ **casino** licenses issued under this chapter.

(c) A person may not have an ownership interest in more than two (2) ~~riverboat~~ **casino** owner's licenses issued under this chapter.

(d) This section may not be construed to increase the maximum number of licenses permitted under section 1 of this chapter or the number of ~~riverboats~~ **casinos** that may be owned and operated under a license under section 10 of this chapter.

SECTION 41. IC 4-33-6-4 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) In determining  
 2 whether to grant an owner's license to an applicant, the commission  
 3 shall consider the following:

4 (1) The character, reputation, experience, and financial integrity  
 5 of the following:

6 (A) The applicant.

7 (B) A person that:

8 (i) directly or indirectly controls the applicant; or

9 (ii) is directly or indirectly controlled by the applicant or by  
 10 a person that directly or indirectly controls the applicant.

11 (2) The facilities or proposed facilities for the conduct of  
 12 **riverboat** casino gambling.

13 (3) The highest prospective total revenue to be collected by the  
 14 state from the conduct of **riverboat casino** gambling.

15 (4) The good faith affirmative action plan of each applicant to  
 16 recruit, train, and upgrade minorities in all employment  
 17 classifications.

18 (5) The financial ability of the applicant to purchase and maintain  
 19 adequate liability and casualty insurance.

20 (6) If the applicant has adequate capitalization to provide and  
 21 maintain a **riverboat casino** for the duration of the license.

22 (7) The extent to which the applicant exceeds or meets other  
 23 standards adopted by the commission.

24 (b) In an application for an owner's license, the applicant must  
 25 submit to the commission a proposed design of the **riverboat and the**  
 26 **dock: casino**. The commission may not grant a license to an applicant  
 27 if the commission determines that it will be difficult or unlikely for the  
 28 **riverboat to depart from the dock**:

29 SECTION 42. IC 4-33-6-5 IS REPEALED [EFFECTIVE JULY 1,  
 30 2024]. Sec. 5: In an application for an owner's license, the applicant  
 31 must state the dock at which the riverboat is based and the navigable  
 32 waterway on which the riverboat will operate:

33 SECTION 43. IC 4-33-6-6 IS REPEALED [EFFECTIVE JULY 1,  
 34 2024]. Sec. 6: (a) Except as provided in subsection (c), a riverboat that  
 35 operates in a county described in IC 4-33-1-1(1) or IC 4-33-1-1(2)  
 36 must:

37 (1) have either:

38 (A) a valid certificate of inspection from the United States  
 39 Coast Guard for the carrying of at least five hundred (500)  
 40 passengers; or

41 (B) a valid certificate of compliance with marine structural and  
 42 life safety standards determined by the commission; and



(2) be at least one hundred fifty (150) feet in length.

(b) This subsection applies only to a riverboat that operates on the Ohio River. A riverboat must replicate, as nearly as possible, historic Indiana steamboat passenger vessels of the nineteenth century. However, steam propulsion or overnight lodging facilities are not required under this subsection.

(c) A riverboat described in IC 4-33-2-17(3) must have a valid certificate of compliance with the marine structural and life safety standards determined by the commission under IC 4-33-4-13.5 for a permanently moored craft.

SECTION 44. IC 4-33-6-7 IS REPEALED [EFFECTIVE JULY 1, 2024]. See: 7: (a) In granting a license under this chapter, the commission may give favorable consideration to the following:

(1) Economically depressed areas of Indiana:

(2) Applicants presenting plans that provide for significant economic development over a large geographic area.

(b) This subsection applies to any owner's license issued for a city described in section 1(a)(1) of this chapter. The commission must require the applicant to provide assurances that economic development will occur in the city and that adequate infrastructure and site preparation will be provided to support the riverboat operation. In order to prove the assurance that economic development will occur, the applicant must:

(1) construct or provide for the construction of an approved hotel; or

(2) cause economic development that will have an economic impact on the city that exceeds the economic impact that the construction of an approved hotel would have.

(c) This subsection applies to an owner's license issued for the City of East Chicago. If a controlling interest in the owner's license is transferred, the fiscal body of the City of East Chicago may adopt an ordinance voiding any term of the development agreement (as defined by IC 36-1-8-9.5) between:

(1) the city; and

(2) the person transferring the controlling interest in the owner's license;

that is in effect as of the date the controlling interest is transferred. The ordinance may provide for any payments made under the redevelopment agreement, including those held in escrow, to be redirected to the City of East Chicago for use as directed by ordinance of the city fiscal body. A requirement to redirect a payment is valid to the same extent as if the requirement had been part of the original



1 agreement. If the ordinance provides for the voiding and renegotiation  
 2 of any part of a redevelopment agreement, the mayor of the City of East  
 3 Chicago may negotiate with the person acquiring a controlling interest  
 4 in the owner's license to replace any terms voided by the ordinance.  
 5 Terms negotiated under this subsection must be ratified in an ordinance  
 6 adopted by the city legislative body.

7 SECTION 45. IC 4-33-6-9 IS AMENDED TO READ AS  
 8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) A licensed owner  
 9 must post a bond with the commission at least sixty (60) days before  
 10 the commencement of gambling ~~on the riverboat~~ **in a casino**.

11 (b) The bond shall be furnished in:

12 (1) cash or negotiable securities;

13 (2) a surety bond:

14 (A) with a surety company approved by the commission; and

15 (B) guaranteed by a satisfactory guarantor; or

16 (3) an irrevocable letter of credit issued by a banking institution  
 17 of Indiana acceptable to the commission.

18 (c) If a bond is furnished in cash or negotiable securities, the  
 19 principal shall be placed without restriction at the disposal of the  
 20 commission, but income inures to the benefit of the licensee.

21 (d) The bond:

22 (1) is subject to the approval of the commission;

23 (2) must be in an amount that the commission determines will  
 24 adequately reflect the amount that a local community will expend  
 25 for infrastructure and other facilities associated with a ~~riverboat~~  
 26 **casino** operation; and

27 (3) must be payable to the commission as obligee for use in  
 28 payment of the licensed owner's financial obligations to the local  
 29 community, the state, and other aggrieved parties, as determined  
 30 by the rules of the commission.

31 (e) If after a hearing (after at least five (5) days written notice) the  
 32 commission determines that the amount of a licensed owner's bond is  
 33 insufficient, the licensed owner shall upon written demand of the  
 34 commission file a new bond.

35 (f) The commission may require a licensed owner to file a new bond  
 36 with a satisfactory surety in the same form and amount if:

37 (1) liability on the old bond is discharged or reduced by judgment  
 38 rendered, payment made, or otherwise; or

39 (2) in the opinion of the commission any surety on the old bond  
 40 becomes unsatisfactory.

41 (g) If a new bond obtained under subsection (e) or (f) is  
 42 unsatisfactory, the commission shall cancel the owner's license. If the



new bond is satisfactorily furnished, the commission shall release in writing the surety on the old bond from any liability accruing after the effective date of the new bond.

(h) A bond is released on the condition that the licensed owner remains at the site for which the owner's license is granted for the lesser of:

(1) five (5) years; or

(2) the date the commission grants a license to another licensed owner to operate from the site for which the bond was posted.

(i) A licensed owner who does not meet the requirements of subsection (h) forfeits a bond filed under this section. The proceeds of a bond that is in default under this subsection are paid to the commission for the benefit of the local unit from which the **riverboat casino** operated.

(j) The total and aggregate liability of the surety on a bond is limited to the amount specified in the bond, and the continuous nature of the bond may in no event be construed as allowing the liability of the surety under a bond to accumulate for each successive approval period during which the bond is in force.

(k) A bond filed under this section is released sixty (60) days after:

(1) the time has run under subsection (h); and

(2) a written request is submitted by the licensed owner.

SECTION 46. IC 4-33-6-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) An owner's license issued under this chapter permits the holder to own and operate one (1) **riverboat casino** and equipment for each license.

(b) The holder of an owner's license issued under this chapter may implement flexible scheduling for the operation of the holder's **riverboat casino** under section 21 of this chapter.

(c) An owner's license issued under this chapter must specify the place where the **riverboat casino** must operate. ~~and dock. However, the commission may permit the riverboat to dock at a temporary dock in the applicable city for a specific period of time not to exceed one (1) year after the owner's license is issued.~~

(d) An owner's initial license expires five (5) years after the effective date of the license.

SECTION 47. IC 4-33-6-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. A licensed owner may apply to the commission for and may hold licenses that are necessary for the operation of a **riverboat, casino**, including the following:

(1) A license to prepare and serve food for human consumption.



(2) Any other necessary license.

SECTION 48. IC 4-33-6-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. All state excise taxes, use taxes, and gross retail taxes apply to sales ~~on~~ **in a riverboat casino.**

SECTION 49. IC 4-33-6-17 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 17. A license to operate an excursion gaming boat:

(1) is a revocable privilege granted by the state; and

(2) is not a property right.

SECTION 50. IC 4-33-6-18 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 18. (a) This subsection applies to cities described in section 1(a)(1) through 1(a)(4) of this chapter. The commission may not issue a license authorizing a riverboat to dock in a city unless the legislative body of the city has approved an ordinance permitting the docking of riverboats in the city.

(b) This subsection applies to a county described in section 1(a)(5) of this chapter if the largest city in the county is contiguous to the Ohio River. The commission may not issue a license authorizing a riverboat to dock in the county unless an ordinance permitting the docking of riverboats in the county has been approved by the legislative body of the largest city in the county. The license must specify that the home dock of the riverboat is to be located in the largest city in the county.

(c) This subsection applies to a county described in section 1(a)(5) of this chapter if the largest city in the county is not contiguous to the Ohio River. The commission may not issue a license authorizing a riverboat to dock in the county unless an ordinance permitting the docking of riverboats in the county has been approved by the county fiscal body.

(d) This subsection applies to a county in which a historic hotel district is located. The commission may not enter into a contract under IC 4-33-6.5 for the operation of a riverboat in the county unless an ordinance permitting the docking of riverboats in the county has been approved by the county fiscal body.

SECTION 51. IC 4-33-6-19 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 19. (a) This section applies to:

(1) a county contiguous to the Ohio River;

(2) a county containing a historic hotel district; and

(3) a county contiguous to Lake Michigan that has a population of less than four hundred thousand (400,000).

(b) Notwithstanding any other provision of this article, the commission may not:

(1) issue a license under this article to allow a riverboat to operate



1 in the county; or

2 (2) enter into a contract with an operating agent under  
3 IC 4-33-6.5;

4 unless the voters of the county have approved the conducting of  
5 gambling games on riverboats in the county:

6 (c) If the docking of a riverboat in the county is approved by an  
7 ordinance adopted under section 18 of this chapter; or if at least the  
8 number of the registered voters of the county required under IC 3-8-6-3  
9 for a petition to place a candidate on the ballot sign a petition submitted  
10 to the circuit court clerk requesting that a local public question  
11 concerning riverboat gaming be placed on the ballot; the county  
12 election board shall place the following question on the ballot in the  
13 county during the next primary or general election:

14 "Shall riverboat gambling be permitted in \_\_\_\_\_ County?"

15 (d) A public question under this section shall be placed on the ballot  
16 in accordance with IC 3-10-9 and must be certified in accordance with  
17 IC 3-10-9-3:

18 (e) The clerk of the circuit court of a county holding an election  
19 under this chapter shall certify the results determined under  
20 IC 3-12-4-9 to the commission and the department of state revenue:

21 (f) If a public question under this section is placed on the ballot in  
22 a county and the voters of the county do not vote in favor of permitting  
23 riverboat gambling under this article; a second public question under  
24 this section may not be held in that county for at least two (2) years. If  
25 the voters of the county vote to reject riverboat gambling a second time;  
26 a third or subsequent public question under this section may not be  
27 held in that county until the general election held during the tenth year  
28 following the year that the previous public question was placed on the  
29 ballot:

30 SECTION 52. IC 4-33-6-20 IS REPEALED [EFFECTIVE JULY 1,  
31 2024]. Sec. 20: (a) This section applies to a city that:

32 (1) has a population of less than one hundred thousand (100,000);  
33 and

34 (2) is located in a county contiguous to Lake Michigan that has a  
35 population of more than four hundred thousand (400,000) but less  
36 than seven hundred thousand (700,000):

37 (b) Notwithstanding any other provision of this article; the  
38 commission may not issue a license under this article to allow a  
39 riverboat to operate from a city to which this section applies unless the  
40 voters of the city have approved the conducting of gambling games on  
41 riverboats in the city:

42 (c) If the legislative body of the city approves the docking of a





riverboat under section 19 of this chapter, or if at least the number of the registered voters of the city required under IC 3-8-6-3 for a petition to place a candidate on the ballot sign a petition submitted to the circuit court clerk requesting that a local public question concerning riverboat gaming be placed on the ballot; the county election board shall place the following question on the ballot in the city during the next general election:

"Shall licenses be issued to permit riverboat gambling in the City of \_\_\_\_\_?"

(d) A public question under this section shall be placed on the ballot in accordance with IC 3-10-9 and must be certified in accordance with IC 3-10-9-3.

(e) The clerk of the circuit court of a county holding an election under this chapter shall certify the results determined under IC 3-12-4-9 to the commission and the department of state revenue.

(f) If a public question under this section is placed on the ballot in a city and the voters of the city do not vote in favor of permitting riverboat gambling under this article, another public question under this section may not be held in that city for at least two (2) years.

SECTION 53. IC 4-33-6-21 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 21: (a) A licensed owner may submit a plan for flexible scheduling to the commission by a date designated by the commission. Upon receipt of an appropriate plan, the commission shall authorize flexible scheduling and the licensed owner shall implement the flexible scheduling plan by the date designated by the commission.

(b) A licensed owner that:

(1) submits a plan for flexible scheduling to the commission may include provisions; or

(2) has implemented a flexible scheduling plan may amend the plan to include provisions;

to conduct gambling operations for up to twenty-four (24) hours a day. Upon receipt of a plan or an amendment to a plan concerning operating hours, the commission shall authorize the licensed owner to implement the plan or amendment for the days and hours specified in the plan or amendment. The licensed owner shall implement the provisions related to operating days and hours by the date designated by the commission. If the licensed owner fails or ceases to operate in accordance with the authorized provisions concerning operating days and hours, the commission may rescind the authorization.

SECTION 54. IC 4-33-6-22, AS ADDED BY P.L.142-2009, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 22. (a) This section applies to any licensed owner



1 who was not required to submit a proposed power of attorney when  
2 applying for an owner's license.

3 (b) A licensed owner shall submit for the approval of the  
4 commission a written power of attorney identifying the person who, if  
5 approved by the commission, would serve as the licensed owner's  
6 trustee to operate the ~~riverboat~~ **casino**. The power of attorney  
7 submitted under this subsection must:

8 (1) be executed in the manner required by IC 30-5;

9 (2) describe the powers that may be delegated to the proposed  
10 trustee;

11 (3) conform with the requirements established by the commission  
12 under IC 4-33-4-3(a)(10); and

13 (4) be submitted before:

14 (A) November 1, 2009, in the case of a person holding a  
15 owner's license on July 1, 2009; or

16 (B) the deadline imposed by the commission in the case of a  
17 licensed owner who is subject to this section and not described  
18 by clause (A).

19 (c) The commission may not renew an owner's license unless the  
20 commission:

21 (1) receives a proposed power of attorney from the licensed  
22 owner;

23 (2) approves the trustee identified by the power of attorney; and

24 (3) approves the power of attorney.

25 (d) A licensed owner must petition the commission for its approval  
26 of any changes to a power of attorney approved by the commission.

27 SECTION 55. IC 4-33-6.5 IS REPEALED [EFFECTIVE JULY 1,  
28 2024]. (Riverboat Operating Agent Contract).

29 SECTION 56. IC 4-33-7-2 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) A person holding  
31 a supplier's license may sell, lease, and contract to sell or lease  
32 gambling equipment and supplies to a licensee or an operating agent  
33 involved in the ownership or management of ~~riverboat~~ **casino** gambling  
34 operations.

35 (b) Gambling supplies and equipment may not be distributed unless  
36 the gambling supplies and equipment conform to standards adopted by  
37 the commission.

38 SECTION 57. IC 4-33-7-4 IS AMENDED TO READ AS  
39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) Except as  
40 provided in subsection (b), a person may not furnish any equipment,  
41 devices, or supplies to a ~~riverboat~~ **casino** gambling operation unless the  
42 person possesses a supplier's license.



(b) A person holding a valid permit under IC 7.1 to deal in alcoholic beverages may supply alcoholic beverages to a ~~riverboat~~ **casino** gambling operation without possessing a supplier's license. A person authorized to supply alcoholic beverages under this subsection must comply with IC 7.1.

SECTION 58. IC 4-33-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) A supplier shall furnish to the commission a list of all equipment, devices, and supplies offered for sale or lease in connection with gambling games authorized under this article.

(b) A supplier shall keep books and records for the furnishing of equipment, devices, and supplies to gambling operations separate from books and records of any other business operated by the supplier.

(c) A supplier shall file a quarterly return with the commission listing all sales and leases.

(d) A supplier shall permanently affix the supplier's name to all of the supplier's equipment, devices, and supplies for ~~riverboat~~ **casino** gambling operations.

SECTION 59. IC 4-33-7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. Gambling equipment, devices, and supplies that are provided by a supplier may be:

(1) repaired ~~on in a riverboat;~~ **casino**; or

(2) removed for repair from the ~~riverboat~~ **casino** to a facility owned by a licensed owner or an operating agent.

SECTION 60. IC 4-33-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. The commission shall determine the occupations related to ~~riverboat~~ **casino** gambling that require a license under this chapter.

SECTION 61. IC 4-33-8-2, AS AMENDED BY P.L.142-2009, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The commission may issue an occupational license to an individual if:

(1) the individual has applied for the occupational license;

(2) a nonrefundable application fee set by the commission has been paid on behalf of the applicant in accordance with subsection (b);

(3) the commission has determined that the applicant is eligible for an occupational license; and

(4) an initial license fee in an amount established by the commission has been paid on behalf of the applicant in accordance with subsection (b).



(b) A licensed owner, an applicant for a **riverboat casino** owner's license, an operating agent, an applicant for an operating agent contract, or a holder of a supplier's license shall pay the application fee of an individual applying for an occupational license to work:

- (1) at the licensed owner's or operating agent's **riverboat casino** gambling operation; or
- (2) for the holder of a supplier's license.

The licensed owner, applicant for a **riverboat casino** owner's license, operating agent, applicant for an operating agent contract, or holder of a supplier's license shall pay the initial occupational license fee or license renewal fee on behalf of an employee or potential employee. The licensed owner, applicant for a **riverboat casino** owner's license, operating agent, applicant for an operating agent contract, or holder of a supplier's license may seek reimbursement of an application fee, initial license fee, or license renewal fee from an employee who is issued an occupational license.

(c) A license issued under this chapter is valid for one (1) year, two (2) years, or (3) years after the date of issuance as determined by the commission.

(d) Unless an occupational license is suspended, expires, or is revoked, the occupational license may be renewed upon:

- (1) the payment of a license renewal fee by the licensed owner, operating agent, or holder of a supplier's license on behalf of the licensee in an amount established by the commission; and
- (2) a determination by the commission that the licensee is in compliance with this article.

(e) The commission may investigate the holder of an occupational license at any time the commission determines it is necessary to ensure that the licensee is in compliance with this article.

(f) A licensed owner, an applicant for a **riverboat casino** owner's license, an operating agent, an applicant for an operating agent contract, or a holder of a supplier's license shall pay the cost of an investigation or reinvestigation of a holder of an occupational license who is employed by the licensed owner, operating agent, or licensed supplier. The licensed owner, applicant for a **riverboat casino** owner's license, operating agent, applicant for an operating agent contract, or holder of a supplier's license may seek reimbursement of the cost of an investigation or reinvestigation from an employee who holds an occupational license.

SECTION 62. IC 4-33-8-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. Except as provided by section 11 of this chapter, the commission may not issue an



occupational license to an individual unless the individual:

- (1) is at least eighteen (18) years of age;
- (2) has not been convicted of a felony under Indiana law, the laws of any other state, or the laws of the United States;
- (3) has demonstrated a level of skill or knowledge that the commission determines is necessary to operate gambling games ~~on in a riverboat;~~ **casino;** and
- (4) has met standards adopted by the commission for the holding of an occupational license.

SECTION 63. IC 4-33-8-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The commission shall adopt rules under IC 4-22-2 providing the following:

- (1) That an individual applying for an occupational license to manage ~~riverboat~~ **casino** gambling operations under this article is subject to background inquiries and requirements similar to those required for an applicant for an owner's license under IC 4-33-6.
- (2) That each individual applying for an occupational license may manage gambling operations for only one (1) licensed owner or operating agent.

SECTION 64. IC 4-33-8-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. Training provided for occupational licensees may be conducted:

- (1) ~~on in a riverboat;~~ **casino;** or
- (2) at a school with which a licensed owner or an operating agent has entered into an agreement under section 9 of this chapter.

SECTION 65. IC 4-33-9-1, AS AMENDED BY P.L.15-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. Gambling may be conducted ~~on in a riverboat~~ **casino** or in a facility in which a card tournament approved under section 10.5 of this chapter is conducted by:

- (1) a licensed owner;
- (2) an operating agent; or
- (3) a trustee in accordance with IC 4-33-21.

SECTION 66. IC 4-33-9-2 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 2: (a) ~~This section does not apply to a riverboat that has implemented flexible scheduling under IC 4-33-6-21.~~

(b) ~~Except as provided in subsections (c) and (d), gambling may not be conducted while a riverboat is docked.~~

(c) ~~If the master of the riverboat reasonably determines and certifies in writing that:~~

- (+) ~~specific weather conditions, water conditions, or traffic conditions present a danger to the riverboat and the riverboat's~~



passengers and crew;

(2) either the vessel or the docking facility is undergoing mechanical or structural repair;

(3) water traffic conditions present a danger to:

(A) the riverboat, riverboat passengers, and crew; or

(B) other vessels on the water; or

(4) the master has been notified that a condition exists that would cause a violation of federal law if the riverboat were to cruise;

the riverboat may remain docked and gaming may take place until the master determines that the conditions have sufficiently diminished or been corrected for the riverboat to safely proceed or the duration of the authorized excursion has expired:

(d) The commission shall by rule permit gambling to be conducted for periods of not more than thirty (30) minutes during passenger embarkation and not more than thirty (30) minutes during passenger disembarkation:

SECTION 67. IC 4-33-9-3 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 3: (a) Except as provided in subsection (b); a riverboat cruise may not exceed four (4) hours for a round trip:

(b) Subsection (a) does not apply to an extended cruise that is expressly approved by the commission:

SECTION 68. IC 4-33-9-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. The following may board enter and inspect a riverboat casino at any time to determine if this article is being violated:

(1) Employees of the commission.

(2) Officers of the state police department.

(3) Conservation officers of the department of natural resources:

SECTION 69. IC 4-33-9-6 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 6: A riverboat that is under way must stop immediately and lay to if the riverboat is hailed by a state police officer, a conservation officer of the department of natural resources, or an agent of the commission:

SECTION 70. IC 4-33-9-7 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 7: Employees of the commission and conservation officers of the department of natural resources have the right to be present on a riverboat or adjacent facilities under the control of a person who has been issued an owner's license or operating agent contract:

SECTION 71. IC 4-33-9-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. Gambling equipment and supplies customarily used in conducting riverboat casino gambling may be purchased or leased only from suppliers licensed under this



1 article.

2 SECTION 72. IC 4-33-9-10, AS AMENDED BY P.L.15-2011,  
3 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2024]: Sec. 10. (a) Wagers may be received only from a  
5 person present ~~on in~~ **in a riverboat casino** or in a facility in which a card  
6 tournament approved under section 10.5 of this chapter is conducted.

7 (b) A person present ~~on in~~ **in a riverboat casino** or in a facility in  
8 which a card tournament approved under section 10.5 of this chapter  
9 is conducted may not place or attempt to place a wager on behalf of  
10 another person who is not present ~~on in~~ **in the riverboat casino** or in the  
11 facility during the approved card tournament.

12 SECTION 73. IC 4-33-9-10.5, AS ADDED BY P.L.15-2011,  
13 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2024]: Sec. 10.5. (a) A licensed owner or an operating agent  
15 may apply to the commission for approval to conduct card tournaments  
16 at a facility other than the ~~riverboat on~~ **casino in** which the licensed  
17 owner or operating agent is authorized to conduct gambling games  
18 under this article.

19 (b) The application must specify the facility in which the licensed  
20 owner or operating agent will conduct the card tournament if the  
21 application is approved. ~~The facility must be in a hotel or other~~  
22 ~~permanent structure that is:~~

23 (1) ~~owned or leased by the licensed owner or operating agent; and~~

24 (2) ~~located on land that is adjacent to:~~

25 (A) ~~the dock to which the applicant's riverboat is moored; or~~

26 (B) ~~the land on which the applicant's riverboat is situated; in~~  
27 ~~the case of an application submitted by an operating agent.~~

28 (c) The application must be submitted on a form prescribed by the  
29 commission. The application must state the:

30 (1) date;

31 (2) time;

32 (3) place; and

33 (4) nature;

34 of the proposed card tournament. The commission may require the  
35 applicant to submit any additional information relevant to the  
36 commission's consideration of the application.

37 (d) As a condition of its approval, the commission may impose upon  
38 the applicant any requirement that the commission determines is  
39 necessary to protect the credibility and integrity of gambling operations  
40 authorized by this article.

41 SECTION 74. IC 4-33-9-12 IS AMENDED TO READ AS  
42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) Except as



provided in subsection (b), a person who is less than twenty-one (21) years of age may not be present in the area of a **riverboat casino** where gambling is being conducted.

(b) A person who is at least eighteen (18) years of age and who is an employee of the **riverboat casino** gambling operation may be present in the area of the **riverboat casino** where gambling is conducted. However, an employee who is less than twenty-one (21) years of age may not perform any function involving gambling by the patrons.

SECTION 75. IC 4-33-9-14 IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 14. (a) This section applies only to a riverboat that operates from a county that is contiguous to the Ohio River.~~

~~(b) A cruise is permitted only when the navigable waterway for which the riverboat is licensed is navigable, as determined by the commission in consultation with the United States Army Corps of Engineers.~~

SECTION 76. IC 4-33-9-15, AS AMENDED BY P.L.229-2013, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. (a) All tokens, chips, or electronic cards that are used to make wagers must be acquired from the owner or operating agent of the **riverboat casino**:

(1) while present in the **riverboat casino**; or

(2) at an on-shore facility that:

(A) has been approved by the commission; and

(B) is located where the ~~riverboat docks~~ **casino is located**.

(b) The tokens, chips, or electronic cards may be acquired by means of an agreement under which the owner or operating agent extends credit to the patron.

SECTION 77. IC 4-33-9-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 16. Tokens, chips, or electronic cards may be used while ~~aboard in~~ the **riverboat casino** only for the purpose of making wagers on gambling games.

SECTION 78. IC 4-33-9-17, AS ADDED BY P.L.229-2013, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 17. (a) A licensed owner or operating agent may request approval from the commission to use a limited mobile gaming system in the gambling operations of the licensed owner or operating agent.

(b) The commission may approve the use of a limited mobile gaming system under this article to allow a patron to wager on gambling games while present in the gaming area (as defined under the rules of the commission) of a **riverboat casino**. A patron may not transmit a wager using a mobile gaming device while present in any





1 other location.

2 SECTION 79. IC 4-33-10-1, AS AMENDED BY P.L.158-2013,  
3 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2024]: Sec. 1. A person who knowingly or intentionally:

5 (1) makes a false statement on an application submitted under this  
6 article;

7 (2) operates a gambling operation ~~or a cruise~~ in which wagering  
8 is conducted or is to be conducted in a manner other than the  
9 manner required under this article;

10 (3) permits a person less than twenty-one (21) years of age to  
11 make a wager;

12 (4) aids, induces, or causes a person less than twenty-one (21)  
13 years of age who is not an employee of the ~~riverboat~~ **casino**  
14 gambling operation to enter or attempt to enter a ~~riverboat~~;  
15 **casino**;

16 (5) wagers or accepts a wager at a location other than a ~~riverboat~~;  
17 **casino**; or

18 (6) makes a false statement on an application submitted to the  
19 commission under this article;

20 commits a Class A misdemeanor.

21 SECTION 80. IC 4-33-10-1.5, AS ADDED BY P.L.158-2013,  
22 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
23 JULY 1, 2024]: Sec. 1.5. ~~(a)~~ A person who:

24 (1) is not an employee of the ~~riverboat~~ **casino** gambling operation;

25 (2) is less than twenty-one (21) years of age; and

26 (3) enters a ~~riverboat~~ **casino**;

27 commits a Class C infraction.

28 ~~(b) A person who:~~

29 ~~(1) is not an employee of the riverboat gambling operation;~~

30 ~~(2) is less than twenty-one (21) years of age; and~~

31 ~~(3) attempts to enter a riverboat;~~

32 ~~commits a Class C infraction.~~

33 SECTION 81. IC 4-33-10-2, AS AMENDED BY P.L.158-2013,  
34 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2024]: Sec. 2. A person who knowingly or intentionally does  
36 any of the following commits a Level 6 felony:

37 (1) Offers, promises, or gives anything of value or benefit:

38 (A) to a person who is connected with the owner or operating  
39 agent of a ~~riverboat~~ **casino**, including an officer or an  
40 employee of a ~~riverboat~~ **casino** owner, an operating agent, or  
41 a holder of an occupational license; and

42 (B) under an agreement to influence or with the intent to



- 1 influence:
- 2 (i) the actions of the person to whom the offer, promise, or
- 3 gift was made in order to affect or attempt to affect the
- 4 outcome of a gambling game; or
- 5 (ii) an official action of a commission member.
- 6 (2) Solicits, accepts, or receives a promise of anything of value or
- 7 benefit:
- 8 (A) while the person is connected with a ~~riverboat~~, **casino**,
- 9 including an officer or employee of a licensed owner, an
- 10 operating agent, or a holder of an occupational license; and
- 11 (B) under an agreement to influence or with the intent to
- 12 influence:
- 13 (i) the actions of the person to affect or attempt to affect the
- 14 outcome of a gambling game; or
- 15 (ii) an official action of a commission member.
- 16 (3) Uses or possesses with the intent to use a device to assist in:
- 17 (A) projecting the outcome of the game;
- 18 (B) keeping track of the cards played;
- 19 (C) analyzing the probability of the occurrence of an event
- 20 relating to the gambling game; or
- 21 (D) analyzing the strategy for playing or betting to be used in
- 22 the game, except as permitted by the commission.
- 23 (4) Cheats at a gambling game.
- 24 (5) Manufactures, sells, or distributes any cards, chips, dice,
- 25 game, or device that is intended to be used to violate this article.
- 26 (6) Alters or misrepresents the outcome of a gambling game on
- 27 which wagers have been made after the outcome is made sure but
- 28 before the outcome is revealed to the players.
- 29 (7) Places a bet on the outcome of a gambling game after
- 30 acquiring knowledge that:
- 31 (A) is not available to all players; and
- 32 (B) concerns the outcome of the gambling game that is the
- 33 subject of the bet.
- 34 (8) Aids a person in acquiring the knowledge described in
- 35 subdivision (7) for the purpose of placing a bet contingent on the
- 36 outcome of a gambling game.
- 37 (9) Claims, collects, takes, or attempts to claim, collect, or take
- 38 money or anything of value in or from a gambling game:
- 39 (A) with the intent to defraud; or
- 40 (B) without having made a wager contingent on winning a
- 41 gambling game.
- 42 (10) Claims, collects, or takes an amount of money or thing of



value of greater value than the amount won in a gambling game.

(11) Uses or possesses counterfeit chips or tokens in or for use in a gambling game.

(12) Possesses a key or device designed for:

(A) opening, entering, or affecting the operation of a gambling game, drop box, or an electronic or a mechanical device connected with the gambling game; or

(B) removing coins, tokens, chips, or other contents of a gambling game.

This subdivision does not apply to a licensee or an operating agent or an employee of a licensee or an operating agent acting in the course of the employee's employment.

(13) Possesses materials used to manufacture a slug or device intended to be used in a manner that violates this article.

SECTION 82. IC 4-33-10-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. A person who is convicted of a felony described in this chapter is barred for life from entering a ~~riverboat~~ **casino** regulated under this article.

SECTION 83. IC 4-33-10-5 IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 5: An action to prosecute a crime occurring on a riverboat while the riverboat is moored at a dock or during a cruise shall be tried in the county of the dock where the riverboat was moored or the cruise was initiated.~~

SECTION 84. IC 4-33-10-6, AS ADDED BY P.L.221-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) The following individuals may not wager ~~on~~ **in** gambling games at a ~~riverboat~~ **casino**:

(1) A member of the commission.

(2) An employee of the commission.

(3) The spouse of any individual listed in subdivisions (1) and (2).

(b) A person who knowingly or intentionally violates this section commits a Class A misdemeanor.

SECTION 85. IC 4-33-11-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. An appeal of a final rule or order of the commission may be commenced under IC 4-21.5 in the circuit court of the county containing the ~~dock where the riverboat is based~~ **casino**.

SECTION 86. IC 4-33-11-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The commission may:

(1) suspend a license issued to the owner of a riverboat; or

(2) require an operating agent to suspend operations;



without notice or hearing if the commission determines that the safety or health of patrons or employees would be threatened by the continued operation of the ~~riverboat~~ **casino**.

(b) The suspension of an owner's license or an operating agent's operations under this section may remain in effect until the commission determines that the cause for suspension has been abated. The commission may revoke the license if the commission determines that the owner or operating agent has not made satisfactory progress toward abating the hazard.

SECTION 87. IC 4-33-12 IS REPEALED [EFFECTIVE JULY 1, 2024]. (Admission Taxes).

SECTION 88. IC 4-33-12.5 IS REPEALED [EFFECTIVE JULY 1, 2024]. (Distribution of Admissions Tax Revenue to Certain Municipalities).

SECTION 89. IC 4-33-13-0.1 IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 0.1: The following amendments to this chapter apply as follows:~~

(1) ~~The amendments made to section 1 of this chapter by P.L.192-2002(ss) apply to admissions occurring and receipts received after June 30, 2002.~~

(2) ~~The addition of section 1.5 of this chapter by P.L.192-2002(ss) applies to admissions occurring and receipts received after June 30, 2002.~~

(3) ~~The amendments made to section 5 of this chapter by P.L.234-2007 apply to riverboat wagering taxes remitted by an operating agent after June 30, 2007.~~

SECTION 90. IC 4-33-13-1, AS AMENDED BY P.L.229-2013, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) ~~This section does not apply to a riverboat that has implemented flexible scheduling under IC 4-33-6-21.~~

(b) ~~(a)~~ Subject to section 1.5(j) of this chapter, A tax is imposed on the adjusted gross receipts received from gambling games authorized under this article at the rate of twenty-two and five-tenths percent (22.5%) of the amount of the adjusted gross receipts.

(c) ~~(b)~~ The licensed owner shall remit the tax imposed by this chapter to the department before the close of the business day following the day the wagers are made.

(d) ~~(c)~~ The department may require payment under this section to be made by electronic funds transfer (as defined in IC 4-8.1-2-7(e)).

(e) ~~(d)~~ If the department requires taxes to be remitted under this chapter through electronic funds transfer, the department may allow the licensed owner to file a monthly report to reconcile the amounts



remitted to the department.

(f) The department may allow taxes remitted under this section to be reported on the same form used for taxes paid under IC 4-33-12.

SECTION 91. IC 4-33-13-1.5 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 1-5: (a) This section applies only to a riverboat that has implemented flexible scheduling under IC 4-33-6-21 or IC 4-33-6.5.

(b) This subsection applies only to a riverboat that received at least seventy-five million dollars (\$75,000,000) of adjusted gross receipts during the preceding state fiscal year. A graduated tax is imposed on the adjusted gross receipts received from gambling games authorized under this article as follows:

(1) Fifteen percent (15%) of the first twenty-five million dollars (\$25,000,000) of adjusted gross receipts received during the period beginning July 1 of each year and ending June 30 of the following year:

(2) Twenty percent (20%) of the adjusted gross receipts in excess of twenty-five million dollars (\$25,000,000) but not exceeding fifty million dollars (\$50,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(3) Twenty-five percent (25%) of the adjusted gross receipts in excess of fifty million dollars (\$50,000,000) but not exceeding seventy-five million dollars (\$75,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(4) Thirty percent (30%) of the adjusted gross receipts in excess of seventy-five million dollars (\$75,000,000) but not exceeding one hundred fifty million dollars (\$150,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(5) Thirty-five percent (35%) of all adjusted gross receipts in excess of one hundred fifty million dollars (\$150,000,000) but not exceeding six hundred million dollars (\$600,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(6) Forty percent (40%) of all adjusted gross receipts exceeding six hundred million dollars (\$600,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(c) This subsection applies only to a riverboat that received less than seventy-five million dollars (\$75,000,000) of adjusted gross receipts during the preceding state fiscal year. A graduated tax is imposed on



the adjusted gross receipts received from gambling games authorized under this article as follows:

(1) Five percent (5%) of the first twenty-five million dollars (\$25,000,000) of adjusted gross receipts received during the period beginning July 1 of each year and ending June 30 of the following year:

(2) Twenty percent (20%) of the adjusted gross receipts in excess of twenty-five million dollars (\$25,000,000) but not exceeding fifty million dollars (\$50,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(3) Twenty-five percent (25%) of the adjusted gross receipts in excess of fifty million dollars (\$50,000,000) but not exceeding seventy-five million dollars (\$75,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(4) Thirty percent (30%) of the adjusted gross receipts in excess of seventy-five million dollars (\$75,000,000) but not exceeding one hundred fifty million dollars (\$150,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(5) Thirty-five percent (35%) of all adjusted gross receipts in excess of one hundred fifty million dollars (\$150,000,000) but not exceeding six hundred million dollars (\$600,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(6) Forty percent (40%) of all adjusted gross receipts exceeding six hundred million dollars (\$600,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year:

(d) The licensed owner or operating agent of a riverboat taxed under subsection (c) shall pay an additional tax of two million five hundred thousand dollars (\$2,500,000) in any state fiscal year in which the riverboat's adjusted gross receipts exceed seventy-five million dollars (\$75,000,000). The additional tax imposed under this subsection is due before July 1 of the following state fiscal year.

(e) The licensed owner or operating agent shall remit the tax imposed by this chapter to the department before the close of the business day following the day the wagers are made:

(f) The department may require payment under this section to be made by electronic funds transfer (as defined in IC 4-8.1-2-7(f)).

(g) If the department requires taxes to be remitted under this chapter



1 through electronic funds transfer; the department may allow the  
 2 licensed owner or operating agent to file a monthly report to reconcile  
 3 the amounts remitted to the department.

4 (h) The department may allow taxes remitted under this section to  
 5 be reported on the same form used for taxes paid under IC 4-33-12.

6 (i) If a riverboat implements flexible scheduling during any part of  
 7 a period beginning July 1 of each year and ending June 30 of the  
 8 following year; the tax rate imposed on the adjusted gross receipts  
 9 received while the riverboat implements flexible scheduling shall be  
 10 computed as if the riverboat had engaged in flexible scheduling during  
 11 the entire period beginning July 1 of each year and ending June 30 of  
 12 the following year:

13 (j) If a riverboat:

14 (1) implements flexible scheduling during any part of a period  
 15 beginning July 1 of each year and ending June 30 of the following  
 16 year; and

17 (2) before the end of that period ceases to operate the riverboat  
 18 with flexible scheduling;

19 the riverboat shall continue to pay a wagering tax at the tax rates  
 20 imposed under subsection (b) until the end of that period as if the  
 21 riverboat had not ceased to conduct flexible scheduling.

22 SECTION 92. IC 4-33-13-5, AS AMENDED BY P.L.2-2014,  
 23 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2024]: Sec. 5. (a) This subsection does not apply to tax  
 25 revenue remitted by an operating agent operating a riverboat in a  
 26 historic hotel district. After funds are appropriated under section 4 of  
 27 this chapter, each month the treasurer of state shall distribute the tax  
 28 revenue deposited in the state gaming fund under this chapter to the  
 29 following:

30 (1) The first thirty-three million dollars (\$33,000,000) of tax  
 31 revenues collected under this chapter shall be set aside for  
 32 revenue sharing under subsection (c): **(c).**

33 (2) ~~Subject to subsection (c);~~ Twenty-five percent (25%) of the  
 34 remaining tax revenue remitted by each licensed owner shall be  
 35 paid:

36 (A) to the city that is designated as the home dock of the  
 37 riverboat ~~where the casino is located~~ from which the tax  
 38 revenue was collected, ~~if the casino is in a city; or in the case~~  
 39 ~~of:~~

40 (i) a city described in IC 4-33-12-6(b)(1)(A); or

41 (ii) a city located in a county having a population of more  
 42 than four hundred thousand (400,000) but less than seven



hundred thousand (700,000); or

(B) to the county that is designated as the home dock of the riverboat where the casino is located from which the tax revenue was collected, in the case of a riverboat whose home dock casino that is not in a city described in clause (A).

(3) Subject to subsection ~~(d)~~; **(b)**, the remainder of the tax revenue remitted by each licensed owner shall be paid to the state general fund. In each state fiscal year, the treasurer of state shall make the transfer required by this subdivision not later than the last business day of the month in which the tax revenue is remitted to the state for deposit in the state gaming fund. However, if tax revenue is received by the state on the last business day in a month, the treasurer of state may transfer the tax revenue to the state general fund in the immediately following month.

**(b)** This subsection applies only to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district. After funds are appropriated under section 4 of this chapter, each month the treasurer of state shall distribute the tax revenue remitted by the operating agent under this chapter as follows:

(1) Thirty-seven and one-half percent (37.5%) shall be paid to the state general fund:

(2) Nineteen percent (19%) shall be paid to the West Baden Springs historic hotel preservation and maintenance fund established by IC 36-7-11.5-11(b). However, at any time the balance in that fund exceeds twenty million dollars (\$20,000,000), the amount described in this subdivision shall be paid to the state general fund:

(3) Eight percent (8%) shall be paid to the Orange County development commission established under IC 36-7-11.5:

(4) Sixteen percent (16%) shall be paid in equal amounts to each town that is located in the county in which the riverboat is located and contains a historic hotel. The following apply to taxes received by a town under this subdivision:

(A) At least twenty-five percent (25%) of the taxes must be transferred to the school corporation in which the town is located:

(B) At least twelve and five-tenths percent (12.5%) of the taxes imposed on adjusted gross receipts received after June 30, 2010, must be transferred to the Orange County development commission established by IC 36-7-11.5-3.5:

(5) Nine percent (9%) shall be paid to the county treasurer of the county in which the riverboat is located. The county treasurer





shall distribute the money received under this subdivision as follows:

(A) Twenty-two and twenty-five hundredths percent (22.25%) shall be quarterly distributed to the county treasurer of a county having a population of more than forty thousand (40,000) but less than forty-two thousand (42,000) for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(B) Twenty-two and twenty-five hundredths percent (22.25%) shall be quarterly distributed to the county treasurer of a county having a population of more than ten thousand seven hundred (10,700) but less than twelve thousand (12,000) for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(C) Fifty-five and five-tenths percent (55.5%) shall be retained by the county in which the riverboat is located for appropriation by the county fiscal body after receiving a recommendation from the county executive.

(6) Five percent (5%) shall be paid to a town having a population of more than two thousand (2,000) but less than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand five hundred (19,500) but less than twenty thousand (20,000). At least forty percent (40%) of the taxes received by a town under this subdivision must be transferred to the school corporation in which the town is located.

(7) Five percent (5%) shall be paid to a town having a population of more than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand five hundred (19,500) but less than twenty thousand (20,000). At least forty percent (40%) of the taxes received by a town under this subdivision must be transferred to the school corporation in which the town is located.



(8) Five-tenths percent (0.5%) of the taxes imposed on adjusted gross receipts received after June 30, 2010, shall be paid to the Indiana economic development corporation established by IC 5-28-3-1.

(c) For each city and county receiving money under subsection (a)(2), the treasurer of state shall determine the total amount of money paid by the treasurer of state to the city or county during the state fiscal year 2002. The amount determined is the base year revenue for the city or county. The treasurer of state shall certify the base year revenue determined under this subsection to the city or county. The total amount of money distributed to a city or county under this section during a state fiscal year may not exceed the entity's base year revenue. For each state fiscal year, the treasurer of state shall pay that part of the riverboat wagering taxes that:

- (1) exceeds a particular city's or county's base year revenue; and
- (2) would otherwise be due to the city or county under this section;

to the state general fund instead of to the city or county.

(d) (b) Each state fiscal year the treasurer of state shall transfer from the tax revenue remitted to the state general fund under subsection (a)(3) to the build Indiana fund an amount that when added to the following may not exceed two hundred fifty million dollars (\$250,000,000):

- (1) Surplus lottery revenues under IC 4-30-17-3.
- (2) Surplus revenue from the charity gaming enforcement fund under IC 4-32.2-7-7.
- (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

The treasurer of state shall make transfers on a monthly basis as needed to meet the obligations of the build Indiana fund. If in any state fiscal year insufficient money is transferred to the state general fund under subsection (a)(3) to comply with this subsection, the treasurer of state shall reduce the amount transferred to the build Indiana fund to the amount available in the state general fund from the transfers under subsection (a)(3) for the state fiscal year.

(e) (c) Before August 15 of each year, the treasurer of state shall distribute the wagering taxes set aside for revenue sharing under subsection (a)(1) to the county treasurer of each county that does not have a **riverboat casino** according to the ratio that the county's population bears to the total population of the counties that do not have a riverboat. Except as provided in subsection (h); (e), the county auditor shall distribute the money received by the county under this subsection as follows:



(1) To each city located in the county according to the ratio the city's population bears to the total population of the county.

(2) To each town located in the county according to the ratio the town's population bears to the total population of the county.

(3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be retained by the county.

~~(f)~~ **(d)** Money received by a city, town, or county under subsection ~~(e)~~ **(d)** or ~~(h)~~ **(c)** or **(h)** may be used for any of the following purposes:

(1) To reduce the property tax levy of the city, town, or county for a particular year (a property tax reduction under this subdivision does not reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5).

(2) For deposit in a special fund or allocation fund created under IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and IC 36-7-30 to provide funding for debt repayment.

(3) To fund sewer and water projects, including storm water management projects.

(4) For police and fire pensions.

(5) To carry out any governmental purpose for which the money is appropriated by the fiscal body of the city, town, or county.

Money used under this subdivision does not reduce the property tax levy of the city, town, or county for a particular year or reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5.

~~(g)~~ This subsection does not apply to an entity receiving money under IC 4-33-12-6(c). Before September 15 of each year, the treasurer of state shall determine the total amount of money distributed to an entity under IC 4-33-12-6 during the preceding state fiscal year. If the treasurer of state determines that the total amount of money distributed to an entity under IC 4-33-12-6 during the preceding state fiscal year was less than the entity's base year revenue (as determined under IC 4-33-12-6), the treasurer of state shall make a supplemental distribution to the entity from taxes collected under this chapter and deposited into the state general fund. Except as provided in subsection ~~(i)~~, the amount of an entity's supplemental distribution is equal to:

~~(1)~~ the entity's base year revenue (as determined under IC 4-33-12-6); minus

~~(2)~~ the sum of:

~~(A)~~ the total amount of money distributed to the entity during the preceding state fiscal year under IC 4-33-12-6; plus

~~(B)~~ any amounts deducted under IC 6-3.1-20-7.

~~(h)~~ **(e)** This subsection applies only to a county containing a



consolidated city. The county auditor shall distribute the money received by the county under subsection ~~(e)~~ **(c)** as follows:

(1) To each city, other than a consolidated city, located in the county according to the ratio that the city's population bears to the total population of the county.

(2) To each town located in the county according to the ratio that the town's population bears to the total population of the county.

(3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be paid in equal amounts to the consolidated city and the county.

~~(i) This subsection applies to a supplemental distribution made after June 30, 2013. The maximum amount of money that may be distributed under subsection (g) in a state fiscal year is forty-eight million dollars (\$48,000,000). If the total amount determined under subsection (g) exceeds forty-eight million dollars (\$48,000,000), the amount distributed to an entity under subsection (g) must be reduced according to the ratio that the amount distributed to the entity under IC 4-33-12-6 bears to the total amount distributed under IC 4-33-12-6 to all entities receiving a supplemental distribution.~~

SECTION 93. IC 4-33-13-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) Money paid to a unit of local government under this chapter:

(1) must be paid to the fiscal officer of the unit and may be deposited in the unit's general fund or **riverboat casino** fund established under IC 36-1-8-9, or both;

(2) may not be used to reduce the unit's maximum or actual levy under IC 6-1.1-18.5; and

(3) may be used for any legal or corporate purpose of the unit, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4.

(b) This chapter does not prohibit the city or county designated as the **home dock location** of the **riverboat casino** from entering into agreements with other units of local government in Indiana or in other states to share the city's or county's part of the tax revenue received under this chapter.

SECTION 94. IC 4-33-13-7 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 7: (a) This section applies to adjusted gross receipts from **wagering on gambling games that occurs:**

(1) after the effective date of this section, as added by SEA 528-2013; but

(2) before July 1, 2016.

(b) As used in this section, "qualified wagering" refers to wagers



made by patrons using noncashable vouchers, coupons, electronic credits, or electronic promotions provided by the licensed owner or operating agent.

(c) Subject to subsection (d), a licensed owner or operating agent may at any time during a state fiscal year deduct from the adjusted gross receipts reported by the licensed owner or operating agent adjusted gross receipts attributable to qualified wagering. A licensed owner or operating agent must take a deduction under this section on a form and in the manner prescribed by the department.

(d) A licensed owner or operating agent may not deduct more than the following amounts in a particular state fiscal year:

(1) Two million five hundred thousand dollars (\$2,500,000) in a state fiscal year ending before July 1, 2013.

(2) Five million dollars (\$5,000,000) in a state fiscal year beginning after June 30, 2013, and ending before July 1, 2016.

SECTION 95. IC 4-33-14-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. The general assembly declares that the opportunity for full minority and women's business enterprise participation in the **riverboat casino** industry is essential if social and economic parity is to be obtained by minority and women business persons and if the economies of the **riverboat cities where casinos are located** are to be stimulated as contemplated by this article.

SECTION 96. IC 4-33-14-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. The commission shall use the certifications made under IC 4-13-16.5 for minority and women's business enterprises that do business with **riverboat casino** operations on contracts for goods and services or contracts for business.

SECTION 97. IC 4-33-14-9 IS REPEALED [EFFECTIVE JULY 1, 2024]. Sec. 9: (a) This section applies to a person holding an owner's licenses for riverboats operated from a city described under IC 4-33-6-1(a)(1) through IC 4-33-6-1(a)(3):

(b) The commission shall require persons holding owner's licenses to adopt policies concerning the preferential hiring of residents of the city in which the riverboat docks for riverboat jobs.

SECTION 98. IC 4-33-18-5, AS AMENDED BY P.L.91-2006, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. The department shall research and analyze data and public policy issues relating to all aspects of gaming in Indiana for the enhancement of:

(1) the Indiana lottery under IC 4-30;

(2) pari-mutuel horse racing under IC 4-31;



(3) charity gaming under IC 4-32.2; and

(4) ~~riverboat~~ casino gambling under IC 4-33.

SECTION 99. IC 4-33-18-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. The department shall study and make findings and recommendations on the following:

(1) Alternative methods of taxing gaming entities, including taxes based upon the size of a ~~riverboat~~ **casino** or the number of gaming positions ~~on board in a riverboat~~ **casino**.

(2) The impact of flexible boarding on the gaming industry.

(3) The impact of breed development programs and sire stakes racing in Indiana.

(4) Any other issue considered appropriate by the department or suggested by:

(A) the Indiana lottery commission;

(B) the Indiana horse racing commission;

(C) the department of state revenue; or

(D) the Indiana gaming commission.

SECTION 100. IC 4-33-18-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. The department shall impose an annual fee of twenty-five thousand dollars (\$25,000) upon the following:

(1) Each licensed owner or operating agent operating a ~~riverboat~~ **casino** in Indiana.

(2) Each permit holder (as defined in IC 4-31-2-14) operating a live pari-mutuel horse racing facility in Indiana.

SECTION 101. IC 4-33-18-9, AS AMENDED BY P.L.233-2007, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) Nothing in this chapter may be construed to limit the powers or responsibilities of:

(1) the state lottery commission under IC 4-30;

(2) the Indiana horse racing commission under IC 4-31; or

(3) the Indiana gaming commission under IC 4-32.2, IC 4-33, or IC 4-35.

(b) The department may not exercise any administrative or regulatory powers with respect to:

(1) the Indiana lottery under IC 4-30;

(2) pari-mutuel horse racing under IC 4-31;

(3) charity gaming under IC 4-32.2;

(4) ~~riverboat~~ casino gambling under IC 4-33; or

(5) gambling games conducted at a racetrack (as defined in IC 4-35-2-9) under IC 4-35.

SECTION 102. IC 4-33-21-3, AS ADDED BY P.L.142-2009,



SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The commission may adopt a resolution authorizing a trustee to temporarily conduct gambling operations ~~on in~~ a ~~riverboat~~ **casino** if any of the following occurs with respect to that particular ~~riverboat~~ **casino**:

(1) The commission revokes the owner's license or operating agent contract.

(2) The commission declines to renew the owner's license or operating agent contract.

(3) A proposed transferee is denied an owner's license under this article when attempting to purchase the ~~riverboat~~ **casino** and obtain an owner's license, but the person who attempted to sell the ~~riverboat~~ **casino** is unable or unwilling to retain ownership or control of the ~~riverboat~~ **casino**.

(4) A proposed transferee is denied an operating agent contract under this article when attempting to purchase the ~~riverboat~~ **casino**, ~~subject to IC 4-33-6.5~~, but the person who attempted to sell the ~~riverboat~~ **casino** is unable or unwilling to retain ownership or control of the ~~riverboat~~ **casino**.

(5) A licensed owner or an operating agent agrees in writing to relinquish control of a ~~riverboat~~ **casino** to a trustee as approved by the commission.

SECTION 103. IC 4-33-21-4, AS ADDED BY P.L.142-2009, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. A power of attorney designating a trustee to conduct gambling operations ~~on in~~ a ~~riverboat~~ **casino** is effective on the date designated by the commission in a resolution authorizing the trustee to commence gambling operations. The power of attorney remains in effect until the date the trusteeship established by the operation of the power of attorney is terminated by resolution of the commission.

SECTION 104. IC 4-33-21-6, AS ADDED BY P.L.142-2009, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. A trustee who conducts gambling operations on a ~~riverboat~~ **casino**:

(1) must:

(A) be eligible to receive an occupational license under IC 4-33-8; and

(B) satisfy the requirements of any rule adopted by the commission under IC 4-33-8-4;

(2) must conduct the gambling operations within the same standards for character, reputation, and financial integrity that are



imposed upon a licensed owner or operating agent by this article;  
 (3) must submit to the commission any information requested by  
 the commission; and  
 (4) is charged with all the duties imposed upon a licensed owner  
 or operating agent under this article.

SECTION 105. IC 4-33-21-7, AS AMENDED BY P.L.229-2013,  
 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 JULY 1, 2024]: Sec. 7. (a) A trustee acting under the authority of this  
 chapter must fulfill the trustee's duties as a fiduciary for the owner of  
 the riverboat. In addition, the trustee shall consider the effect of the  
 trustee's actions upon:

- (1) the amount of taxes remitted by the trustee under ~~IC 4-33-12~~  
~~and~~ IC 4-33-13;
- (2) the city and county in which the ~~riverboat~~ **casino** is located;
- (3) the ~~riverboat's~~ **casino's** employees; and
- (4) the creditors of the owner of the ~~riverboat~~ **casino**.

(b) In balancing the interests described in subsection (a), a trustee  
 shall conduct gambling operations ~~on~~ **in** the ~~riverboat~~ **casino** in a  
 manner that enhances the credibility and integrity of ~~riverboat~~ **casino**  
 gambling in Indiana while minimizing disruptions to tax revenues,  
 incentive payments, employment, and credit obligations.

SECTION 106. IC 4-33-21-8, AS ADDED BY P.L.142-2009,  
 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 JULY 1, 2024]: Sec. 8. (a) A person who directly or indirectly owns a  
~~riverboat~~ **casino** that is the subject of a resolution described in section  
 3 of this chapter has one hundred eighty (180) days after the date on  
 which the commission adopts the resolution to sell the ~~riverboat~~ **casino**  
 (and its related properties described in section 9 of this chapter) to  
 another person who:

- (1) satisfies the requirements of this article for obtaining a  
 owner's license; and
- (2) is approved by the commission.

(b) If the person is unable to sell the ~~riverboat~~ **casino** (and its related  
 properties described in section 9 of this chapter) in the time required  
 by subsection (a), the trustee may take any action necessary to sell the  
 properties to another person who:

- (1) satisfies the requirements of this article for obtaining an  
 owner's license; and
- (2) is approved by the commission.

SECTION 107. IC 4-33-21-9, AS ADDED BY P.L.142-2009,  
 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 JULY 1, 2024]: Sec. 9. A trustee acting under the authority of this





chapter may conduct the operations of any hotel, restaurant, golf course, or other amenity related to the ~~riverboat~~ **casino** operation.

SECTION 108. IC 4-33-21-10, AS ADDED BY P.L.142-2009, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. A trustee is entitled to reasonable compensation for carrying out the duties imposed upon the trustee under this chapter. The trustee's compensation must be:

- (1) approved by the commission; and
- (2) paid by the owner of the ~~riverboat~~ **casino** that is the subject of a resolution described in section 3 of this chapter.

SECTION 109. IC 4-33-21-12, AS ADDED BY P.L.142-2009, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) Except as provided in subsection (b), the commission may after a public meeting revoke, modify, or amend a resolution authorizing a trustee to conduct gambling operations under this chapter upon a showing of good cause. A public meeting held under this subsection may be conducted by the commission or the executive director.

(b) In an emergency that requires immediate action to protect the credibility and integrity of ~~riverboat~~ **casino** gambling in Indiana, the commission may, without holding a hearing, take the following actions concerning a trustee whose actions have created the emergency:

- (1) Revoke the resolution authorizing the trustee to conduct gambling operations under this chapter.
- (2) Remove the trustee from the control of the ~~riverboat~~ **casino** subject to the revoked resolution.

SECTION 110. IC 4-35-4-2, AS AMENDED BY P.L.142-2009, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The commission shall do the following:

- (1) Adopt rules under IC 4-22-2 that the commission determines are necessary to protect or enhance the following:
  - (A) The credibility and integrity of gambling games authorized under this article.
  - (B) The regulatory process provided in this article.
- (2) Conduct all hearings concerning civil violations of this article.
- (3) Provide for the establishment and collection of license fees imposed under this article, and deposit the license fees in the state general fund.
- (4) Levy and collect penalties for noncriminal violations of this article and deposit the penalties in the state general fund.
- (5) Approve the design, appearance, aesthetics, and construction of ~~slot machine~~ **gambling game** facilities authorized under this



- 1 article.
- 2 (6) Adopt emergency rules under IC 4-22-2-37.1 if the
- 3 commission determines that:
- 4 (A) the need for a rule is so immediate and substantial that
- 5 rulemaking procedures under IC 4-22-2-13 through
- 6 IC 4-22-2-36 are inadequate to address the need; and
- 7 (B) an emergency rule is likely to address the need.
- 8 (7) Adopt rules to establish and implement a voluntary exclusion
- 9 program that meets the requirements of subsection (c).
- 10 (8) Establish the requirements for a power of attorney submitted
- 11 under IC 4-35-5-9.
- 12 (b) The commission shall begin rulemaking procedures under
- 13 IC 4-22-2-13 through IC 4-22-2-36 to adopt an emergency rule adopted
- 14 under subsection (a)(6) not later than thirty (30) days after the adoption
- 15 of the emergency rule under subsection (a)(6).
- 16 (c) Rules adopted under subsection (a)(7) must provide the
- 17 following:
- 18 (1) Except as provided by rule of the commission, a person who
- 19 participates in the voluntary exclusion program agrees to refrain
- 20 from entering a facility at which gambling games are conducted
- 21 or another facility under the jurisdiction of the commission.
- 22 (2) That the name of a person participating in the program will be
- 23 included on a list of persons excluded from all facilities under the
- 24 jurisdiction of the commission.
- 25 (3) Except as provided by rule of the commission, a person who
- 26 participates in the voluntary exclusion program may not petition
- 27 the commission for readmittance to a facility under the
- 28 jurisdiction of the commission.
- 29 (4) That the list of patrons entering the voluntary exclusion
- 30 program and the personal information of the participants are
- 31 confidential and may only be disseminated by the commission to
- 32 the owner or operator of a facility under the jurisdiction of the
- 33 commission for purposes of enforcement and to other entities,
- 34 upon request by the participant and agreement by the commission.
- 35 (5) That an owner of a facility under the jurisdiction of the
- 36 commission shall make all reasonable attempts as determined by
- 37 the commission to cease all direct marketing efforts to a person
- 38 participating in the program.
- 39 (6) That an owner of a facility under the jurisdiction of the
- 40 commission may not cash the check of a person participating in
- 41 the program or extend credit to the person in any manner.
- 42 However, the voluntary exclusion program does not preclude an



owner from seeking the payment of a debt accrued by a person before entering the program.

SECTION 111. IC 4-35-4-7, AS AMENDED BY P.L.229-2013, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The commission shall adopt standards for the licensing of the following:

- (1) Persons regulated under this article.
- (2) ~~Slot machines used in~~ Gambling games.
- (3) Limited mobile gaming systems and mobile gaming devices.

(b) Where applicable, 68 IAC applies to racetracks conducting gambling games under this article.

SECTION 112. IC 4-35-4-12, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) The commission shall require a licensee to conspicuously display the number of the toll free telephone line ~~described in IC 4-33-12-6 in the following locations~~

- ~~(1) On each admission ticket to a facility at which gambling games are conducted, if tickets are issued.~~
- (2) to provide the public with information about compulsive gambling** on a poster or placard that is on display in a public area of each facility at which gambling games at racetracks are conducted.

(b) The commission may adopt rules under IC 4-22-2 necessary to carry out this section.

SECTION 113. IC 4-35-4-14, AS ADDED BY P.L.142-2009, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. (a) The commission may appoint a temporary trustee for a particular ~~slot machine gambling game~~ facility at a racetrack if the commission makes the following findings:

- (1) That circumstances requiring a trustee to assume control of the ~~slot machine gambling game~~ facility are likely to occur.
- (2) That the commission has not approved a power of attorney identifying any other person to serve as the trustee for the ~~slot machine gambling game~~ facility.
- (3) That there is not enough time to consider and approve a power of attorney with respect to the ~~slot machine gambling game~~ facility before the circumstances found likely to occur under subdivision (1) will occur.

(b) A person appointed under this section must be qualified to perform any duty described in this section or IC 4-35-12.

(c) A trustee appointed by the commission under this section shall serve until any of the following occur:



(1) The commission adopts a resolution under IC 4-35-12-3 authorizing a trustee appointed in an approved power of attorney submitted by the permit holder to conduct gambling games under IC 4-35-12.

(2) The commission revokes the trustee's authority to conduct gambling games as provided by IC 4-35-12-12.

(3) A new permit holder assumes control of the racetrack, ~~slot machine~~ **gambling game** facility, and related properties.

(d) A trustee appointed by the commission under this section shall exercise the trustee's powers in accordance with:

(1) the model power of attorney established by the executive director under section 13.2 of this chapter; and

(2) IC 4-35-12.

SECTION 114. IC 4-35-5-1, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. **(a)** The commission may issue a license to a permit holder to conduct gambling games under this article at the permit holder's racetrack. The number of licenses issued under this chapter may not exceed two (2).

**(b) A permit holder with a racetrack is not required to maintain horseracing at the racetrack as a condition of maintaining a license to conduct gambling games.**

SECTION 115. IC 4-35-5-2, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) Before issuing a license to a person under this chapter, the commission shall subject the person to a background investigation similar to a background investigation required for an applicant for a ~~riverboat casino~~ **casino** owner's license under IC 4-33-6.

(b) Before the commission may issue a license to a person under this chapter, the person must submit to the commission for the commission's approval the physical layout of the person's proposed ~~slot machines~~ **gambling games** and the facilities that will contain the proposed ~~slot machines~~ **gambling games**. The facilities that will contain the ~~slot machines~~ **gambling games** must be connected to the licensee's racetrack facilities.

SECTION 116. IC 4-35-7-1, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. Gambling games authorized under this article may not be conducted anywhere other than a ~~slot machine~~ **gambling game** facility located at a racetrack.

SECTION 117. IC 4-35-7-1.5, AS ADDED BY P.L.229-2013, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2024]: Sec. 1.5. (a) A licensee may request approval from the commission to use a limited mobile gaming system in the gambling operations of the licensee.

(b) The commission may approve the use of a limited mobile gaming system to allow a patron to wager on gambling games while present in the gaming area (as defined under the rules of the commission) of a ~~slot machine~~ **gambling game** facility licensed under this article. A patron may not transmit a wager using a mobile gaming device while present in any other location.

SECTION 118. IC 4-35-7-2, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) A person who is less than twenty-one (21) years of age may not wager ~~on a slot machine~~ **under this article**.

(b) Except as provided in subsection (c), a person who is less than twenty-one (21) years of age may not be present in the area of a racetrack where gambling games are conducted.

(c) A person who is at least eighteen (18) years of age and who is an employee of the racetrack may be present in the area of the racetrack where gambling games are conducted. However, an employee who is less than twenty-one (21) years of age may not perform any function involving gambling by the patrons of the licensee's ~~slot machine~~ **gambling game** facility.

SECTION 119. IC 4-35-7-4, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The following may inspect a licensee's ~~slot machine~~ **gambling game** facility at any time to determine if this article is being violated:

(1) Employees of the commission.

(2) Officers of the state police department.

SECTION 120. IC 4-35-7-5, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. Employees of the commission have the right to be present in a licensee's ~~slot machine~~ **gambling game** facility.

SECTION 121. IC 4-35-7-6, AS AMENDED BY P.L.229-2013, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. ~~A slot machine~~ **Gambling equipment and supplies customarily used in conducting gambling games** may be purchased or leased only from a supplier licensed under IC 4-33-7.

SECTION 122. IC 4-35-7-8, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. Wagers may be received only from a person present in a licensee's ~~slot machine~~ **gambling game** facility. A person



present in a licensee's ~~slot machine~~ **gambling game** facility may not place or attempt to place a wager on behalf of a person who is not present in the licensee's ~~slot machine~~ **gambling game** facility.

SECTION 123. IC 4-35-7-9, AS AMENDED BY P.L.229-2013, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) A patron may make a ~~slot machine~~ **gambling game** wager at a racetrack only by means of:

(1) a ~~chip, a~~ token, or an electronic card, acquired from a licensee at the licensee's racetrack; or

(2) money or other negotiable currency.

(b) A ~~chip, a~~ token, or an electronic card may be acquired by means of an agreement under which a licensee extends credit to the patron.

(c) All winnings and payoffs from a ~~slot machine~~ **gambling game** at a racetrack:

(1) ~~shall~~ **must** be made in ~~chips~~, tokens, electronic cards, paper tickets, or other evidence of winnings and payoffs approved by the commission; and

(2) may not be made in money or other negotiable currency.

SECTION 124. IC 4-35-7-10, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. A ~~chip, a~~ token, or an electronic card described in section 9 of this chapter may be used by a patron while the patron is present at the racetrack only to make a wager on a ~~slot machine~~ **gambling game** authorized under this article.

SECTION 125. IC 4-35-7-11 IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 11. A licensee may not install more than two thousand (2,000) slot machines on the premises of the licensee's racetrack without the approval of the commission.~~

SECTION 126. IC 4-35-8-1, AS AMENDED BY P.L.210-2013, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) A graduated slot machine wagering tax is imposed as follows on ninety-nine percent (99%) of the adjusted gross receipts received after June 30, 2012, and before July 1, 2013, and on ninety-one and five-tenths percent (91.5%) of the adjusted gross receipts received after June 30, 2013, from wagering on ~~gambling games~~ **slot machines** authorized by this article:

(1) Twenty-five percent (25%) of the first one hundred million dollars (\$100,000,000) of adjusted gross receipts received during the period beginning July 1 of each year and ending June 30 of the following year.

(2) Thirty percent (30%) of the adjusted gross receipts in excess of one hundred million dollars (\$100,000,000) but not exceeding



two hundred million dollars (\$200,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year.

(3) Thirty-five percent (35%) of the adjusted gross receipts in excess of two hundred million dollars (\$200,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year.

(b) A licensee shall remit the tax imposed by this section to the department before the close of the business day following the day the wagers are made.

(c) The department may require payment under this section to be made by electronic funds transfer (as defined in IC 4-8.1-2-7(f)).

(d) If the department requires taxes to be remitted under this chapter through electronic funds transfer, the department may allow the licensee to file a monthly report to reconcile the amounts remitted to the department.

(e) The payment of the tax under this section must be on a form prescribed by the department.

SECTION 127. IC 4-35-8.5-1, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Before the fifteenth day of each month, a licensee that offers ~~slot machine gambling game~~ wagering under this article shall pay to the commission a county ~~slot machine gambling game~~ wagering fee equal to three percent (3%) of the adjusted gross receipts received from ~~slot machine gambling game~~ wagering during the previous month at the licensee's racetrack. However, a licensee is not required to pay more than eight million dollars (\$8,000,000) of county ~~slot machine gambling game~~ wagering fees under this section in any state fiscal year.

(b) The commission shall deposit the county ~~slot machine gambling game~~ wagering fee received by the commission into a separate account within the state general fund.

SECTION 128. IC 4-35-8.5-2, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. Before the fifteenth day of each month, the treasurer of state shall distribute any county ~~slot machine gambling game~~ wagering fees received from a licensee during the previous month to the county auditor of the county in which the licensee's racetrack is located.

SECTION 129. IC 4-35-8.5-3, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The auditor of each county receiving a



1 distribution of county ~~slot machine~~ **gambling game** wagering fees  
 2 under section 2 of this chapter shall distribute the county ~~slot machine~~  
 3 **gambling game** wagering fees as follows:

4 (1) To each city located in the county according to the ratio the  
 5 city's population bears to the total population of the county.

6 (2) To each town located in the county according to the ratio the  
 7 town's population bears to the total population of the county.

8 (3) After the distributions required by subdivisions (1) and (2) are  
 9 made, the remainder shall be retained by the county.

10 SECTION 130. IC 4-35-8.8-4 IS REPEALED [EFFECTIVE JULY  
 11 1, 2024]. ~~Sec. 4: The problem gambling fees used by the division under~~  
 12 ~~this chapter for the prevention and treatment of compulsive gambling~~  
 13 ~~are in addition to any admissions tax revenue allocated by the division~~  
 14 ~~under IC 4-33-12-6 for the prevention and treatment of compulsive~~  
 15 ~~gambling.~~

16 SECTION 131. IC 4-35-9-2, AS ADDED BY P.L.233-2007,  
 17 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2024]: Sec. 2. A person who knowingly or intentionally aids,  
 19 induces, or causes a person who is:

20 (1) less than twenty-one (21) years of age; and

21 (2) not an employee of a licensee;

22 to enter or attempt to enter the licensee's ~~slot machine~~ **gambling game**  
 23 facility commits a Class A misdemeanor.

24 SECTION 132. IC 4-35-9-3.5, AS ADDED BY P.L.158-2013,  
 25 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2024]: Sec. 3.5. (a) A person who:

27 (1) is not an employee of a licensee;

28 (2) is less than twenty-one (21) years of age; and

29 (3) enters the licensee's ~~slot machine~~ **gambling game** facility;  
 30 commits a Class C infraction.

31 (b) A person who:

32 (1) is not an employee of a licensee;

33 (2) is less than twenty-one (21) years of age; and

34 (3) attempts to enter the licensee's ~~slot machine~~ **gambling game**  
 35 facility;  
 36 commits a Class C infraction.

37 SECTION 133. IC 4-35-9-4, AS ADDED BY P.L.233-2007,  
 38 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 39 JULY 1, 2024]: Sec. 4. A person who knowingly or intentionally:

40 (1) makes a false statement on an application submitted under this  
 41 article;

42 (2) conducts a gambling game in a manner other than the manner





1 required under this article; or  
 2 (3) wagers or accepts a wager at a location other than a licensee's  
 3 **slot machine gambling game** facility;  
 4 commits a Class A misdemeanor.

5 SECTION 134. IC 4-35-11-1, AS ADDED BY P.L.233-2007,  
 6 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2024]: Sec. 1. This chapter applies to persons holding a permit  
 8 to operate a racetrack under IC 4-31-5 at which **slot machines**  
 9 **gambling games** are licensed under this article.

10 SECTION 135. IC 4-35-11-2, AS ADDED BY P.L.233-2007,  
 11 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2024]: Sec. 2. The general assembly declares that it is  
 13 essential for minority and women's business enterprises to have the  
 14 opportunity for full participation in the racetrack industry if minority  
 15 and women's business enterprises are to obtain social and economic  
 16 parity and if the economies of the cities, towns, and counties in which  
 17 **slot machines gambling games** are operated at racetracks are to be  
 18 stimulated as contemplated by this article.

19 SECTION 136. IC 4-35-12-9, AS ADDED BY P.L.142-2009,  
 20 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2024]: Sec. 9. A trustee acting under the authority of this  
 22 chapter may conduct the operations of any hotel, restaurant, golf  
 23 course, or other amenity related to the racetrack's **slot machine**  
 24 **gambling game** facility.

25 SECTION 137. IC 4-36-1-3, AS ADDED BY P.L.95-2008,  
 26 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2024]: Sec. 3. This article does not apply to the following:

- 28 (1) The Indiana state lottery established under IC 4-30.
- 29 (2) Pari-mutuel horse racing under IC 4-31.
- 30 (3) Charity gaming under IC 4-32.2.
- 31 (4) **Riverboat Casino** gambling under IC 4-33.
- 32 (5) **Slot machine** Wagering **on gambling games** under IC 4-35.

33 SECTION 138. IC 4-36-4-2, AS ADDED BY P.L.95-2008,  
 34 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2024]: Sec. 2. (a) To qualify for a retailer's endorsement, a  
 36 person must operate a tavern licensed under IC 7.1-3 to sell alcoholic  
 37 beverages to customers for consumption on the premises of the tavern.

38 (b) The following may not apply for a retailer's endorsement under  
 39 this article:

- 40 (1) A person holding a horse track permit under IC 7.1-3-17.7.
- 41 (2) A licensed owner of a **riverboat casino** licensed under
- 42 IC 4-33.



(3) An operating agent who operates a ~~riverboat~~ **casino** in a historic hotel district under IC 4-33.

(4) A qualified organization (as defined in IC 4-32.2-2-24).

(5) An organization that is eligible to apply for a charity gaming license under IC 4-32.2.

(6) A person holding a gambling game license issued under IC 4-35-5.

(7) A person holding a permit issued under IC 7.1-3 for a licensed premises that is not a tavern, including holders of the following:

(A) A boat permit.

(B) A hotel permit.

(C) A fraternal club permit.

(D) A resort hotel permit.

(E) An airport permit.

(F) A satellite facility permit.

(G) A microbrewery permit.

(H) A social club permit.

(I) A civic center permit.

(J) A catering hall permit.

(K) A dining car permit.

(L) A temporary event permit.

(M) A permit for any of the following facilities:

(i) A stadium.

(ii) An automobile race track.

(iii) A concert hall.

SECTION 139. IC 6-1.1-1-15, AS AMENDED BY P.L.146-2008, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. "Real property" means:

(1) land located within this state;

(2) a building or fixture situated on land located within this state;

(3) an appurtenance to land located within this state;

(4) an estate in land located within this state, or an estate, right, or privilege in mines located on or minerals, including but not limited to oil or gas, located in the land, if the estate, right, or privilege is distinct from the ownership of the surface of the land; and

(5) notwithstanding IC 6-6-6-7, a ~~riverboat~~ **casino**

~~(A)~~ licensed under IC 4-33; ~~or~~

~~(B)~~ ~~operated under an operating agent contract under IC 4-33-6.5;~~

for which the department of local government finance shall prescribe standards to be used by assessing officials.



1 SECTION 140. IC 6-1.1-4-31.5, AS AMENDED BY P.L.112-2012,  
 2 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2024]: Sec. 31.5. (a) As used in this section, "department"  
 4 refers to the department of local government finance.

5 (b) If the department makes a determination and informs local  
 6 officials under section 31(c) of this chapter, the department may order  
 7 a state conducted assessment or reassessment in the county subject to  
 8 the time limitation in that subsection.

9 (c) If the department orders a state conducted assessment or  
 10 reassessment in a county, the department shall assume the duties of the  
 11 county assessor. Notwithstanding sections 15 and 17 of this chapter, a  
 12 county assessor subject to an order issued under this section may not  
 13 assess property or have property assessed for the assessment or general  
 14 reassessment under section 4 of this chapter or under a county's  
 15 reassessment plan prepared under section 4.2 of this chapter. Until the  
 16 state conducted assessment or reassessment is completed under this  
 17 section, the assessment or reassessment duties of the county assessor  
 18 are limited to providing the department or a contractor of the  
 19 department the support and information requested by the department  
 20 or the contractor.

21 (d) Before assuming the duties of a county assessor, the department  
 22 shall transmit a copy of the department's order requiring a state  
 23 conducted assessment or reassessment to the county assessor, the  
 24 county fiscal body, the county auditor, and the county treasurer. Notice  
 25 of the department's actions must be published one (1) time in a  
 26 newspaper of general circulation published in the county. The  
 27 department is not required to conduct a public hearing before taking  
 28 action under this section.

29 (e) A county assessor subject to an order issued under this section  
 30 shall, at the request of the department or the department's contractor,  
 31 make available and provide access to all:

- 32 (1) data;
- 33 (2) records;
- 34 (3) maps;
- 35 (4) parcel record cards;
- 36 (5) forms;
- 37 (6) computer software systems;
- 38 (7) computer hardware systems; and
- 39 (8) other information;

40 related to the assessment or reassessment of real property in the county.  
 41 The information described in this subsection must be provided at no  
 42 cost to the department or the contractor of the department. A failure to



1 provide information requested under this subsection constitutes a  
 2 failure to perform a duty related to an assessment or a general  
 3 reassessment under section 4 of this chapter or under a county's  
 4 reassessment plan prepared under section 4.2 of this chapter and is  
 5 subject to IC 6-1.1-37-2.

6 (f) The department may enter into a contract with a professional  
 7 appraising firm to conduct an assessment or reassessment under this  
 8 section. If a county entered into a contract with a professional  
 9 appraising firm to conduct the county's assessment or reassessment  
 10 before the department orders a state conducted assessment or  
 11 reassessment in the county under this section, the contract:

12 (1) is as valid as if it had been entered into by the department; and

13 (2) shall be treated as the contract of the department.

14 (g) After receiving the report of assessed values from the appraisal  
 15 firm acting under a contract described in subsection (f), the department  
 16 shall give notice to the taxpayer and the county assessor, by mail, of the  
 17 amount of the assessment or reassessment. The notice of assessment or  
 18 reassessment:

19 (1) is subject to appeal by the taxpayer under section 31.7 of this  
 20 chapter; and

21 (2) must include a statement of the taxpayer's rights under section  
 22 31.7 of this chapter.

23 (h) The department shall forward a bill for services provided under  
 24 a contract described in subsection (f) to the auditor of the county in  
 25 which the state conducted reassessment occurs. The county shall pay  
 26 the bill under the procedures prescribed by subsection (i).

27 (i) A county subject to an order issued under this section shall pay  
 28 the cost of a contract described in subsection (f), without appropriation,  
 29 from the county property reassessment fund. A contractor may  
 30 periodically submit bills for partial payment of work performed under  
 31 the contract. Notwithstanding any other law, a contractor is entitled to  
 32 payment under this subsection for work performed under a contract if  
 33 the contractor:

34 (1) submits to the department a fully itemized, certified bill in the  
 35 form required by IC 5-11-10-1 for the costs of the work performed  
 36 under the contract;

37 (2) obtains from the department:

38 (A) approval of the form and amount of the bill; and

39 (B) a certification that the billed goods and services have been  
 40 received and comply with the contract; and

41 (3) files with the county auditor:

42 (A) a duplicate copy of the bill submitted to the department;



(B) proof of the department's approval of the form and amount of the bill; and

(C) the department's certification that the billed goods and services have been received and comply with the contract.

The department's approval and certification of a bill under subdivision (2) shall be treated as conclusively resolving the merits of a contractor's claim. Upon receipt of the documentation described in subdivision (3), the county auditor shall immediately certify that the bill is true and correct without further audit and submit the claim to the county executive. The county executive shall allow the claim, in full, as approved by the department, without further examination of the merits of the claim in a regular or special session that is held not less than three (3) days and not more than seven (7) days after the date the claim is certified by the county fiscal officer if the procedures in IC 5-11-10-2 are used to approve the claim or the date the claim is placed on the claim docket under IC 36-2-6-4 if the procedures in IC 36-2-6-4 are used to approve the claim. Upon allowance of the claim by the county executive, the county auditor shall immediately issue a warrant or check for the full amount of the claim approved by the department. Compliance with this subsection constitutes compliance with IC 5-11-6-1, IC 5-11-10, and IC 36-2-6. The determination and payment of a claim in compliance with this subsection is not subject to remonstrance and appeal. IC 36-2-6-4(f) and IC 36-2-6-9 do not apply to a claim submitted under this subsection. IC 5-11-10-1.6(d) applies to a fiscal officer who pays a claim in compliance with this subsection.

(j) Notwithstanding IC 4-13-2, a period of seven (7) days is permitted for each of the following to review and act under IC 4-13-2 on a contract of the department entered into under this section:

(1) The commissioner of the Indiana department of administration.

(2) The director of the budget agency.

(3) The attorney general.

(k) If money in the county's property reassessment fund is insufficient to pay for an assessment or reassessment conducted under this section, the department may increase the tax rate and tax levy of the county's property reassessment fund to pay the cost and expenses related to the assessment or reassessment.

(l) The department or the contractor of the department shall use the land values determined under section 13.6 of this chapter for a county subject to an order issued under this section to the extent that the department or the contractor finds that the land values reflect the true tax value of land, as determined under this article and the rules of the



department. If the department or the contractor finds that the land values determined for the county under section 13.6 of this chapter do not reflect the true tax value of land, the department or the contractor shall determine land values for the county that reflect the true tax value of land, as determined under this article and the rules of the department. Land values determined under this subsection shall be used to the same extent as if the land values had been determined under section 13.6 of this chapter. The department or the contractor of the department shall notify the county's assessing officials of the land values determined under this subsection.

(m) A contractor of the department may notify the department if:

(1) a county auditor fails to:

(A) certify the contractor's bill;

(B) publish the contractor's claim;

(C) submit the contractor's claim to the county executive; or

(D) issue a warrant or check for payment of the contractor's bill;

as required by subsection (i) at the county auditor's first legal opportunity to do so;

(2) a county executive fails to allow the contractor's claim as legally required by subsection (i) at the county executive's first legal opportunity to do so; or

(3) a person or an entity authorized to act on behalf of the county takes or fails to take an action, including failure to request an appropriation, and that action or failure to act delays or halts progress under this section for payment of the contractor's bill.

(n) The department, upon receiving notice under subsection (m) from a contractor of the department, shall:

(1) verify the accuracy of the contractor's assertion in the notice that:

(A) a failure occurred as described in subsection (m)(1) or (m)(2); or

(B) a person or an entity acted or failed to act as described in subsection (m)(3); and

(2) provide to the treasurer of state the department's approval under subsection (i)(2)(A) of the contractor's bill with respect to which the contractor gave notice under subsection (m).

(o) Upon receipt of the department's approval of a contractor's bill under subsection (n), the treasurer of state shall pay the contractor the amount of the bill approved by the department from money in the possession of the state that would otherwise be available for distribution to the county, including distributions of ~~admissions taxes~~



1 or wagering taxes.

2 (p) The treasurer of state shall withhold from the money that would  
3 be distributed under ~~IC 4-33-12-6~~, IC 4-33-13-5 or any other law to a  
4 county described in a notice provided under subsection (m) the amount  
5 of a payment made by the treasurer of state to the contractor of the  
6 department under subsection (o). Money shall be withheld from any  
7 source payable to the county.

8 (q) Compliance with subsections (m) through (p) constitutes  
9 compliance with IC 5-11-10.

10 (r) IC 5-11-10-1.6(d) applies to the treasurer of state with respect to  
11 the payment made in compliance with subsections (m) through (p).  
12 This subsection and subsections (m) through (p) must be interpreted  
13 liberally so that the state shall, to the extent legally valid, ensure that  
14 the contractual obligations of a county subject to this section are paid.  
15 Nothing in this section shall be construed to create a debt of the state.

16 (s) The provisions of this section are severable as provided in  
17 IC 1-1-1-8(b).

18 SECTION 141. IC 6-1.1-4-39.5, AS AMENDED BY P.L.146-2008,  
19 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2024]: Sec. 39.5. (a) As used in this section, "qualified real  
21 property" means a **riverboat casino**. ~~(as defined in IC 4-33-2-17):~~

22 (b) Except as provided in subsection (c), the true tax value of  
23 qualified real property is the lowest valuation determined by applying  
24 each of the following appraisal approaches:

25 (1) Cost approach that includes an estimated reproduction or  
26 replacement cost of buildings and land improvements as of the  
27 date of valuation together with estimates of the losses in value  
28 that have taken place due to wear and tear, design and plan, or  
29 neighborhood influences using base prices determined under 50  
30 IAC 2.3 and associated guidelines published by the department.

31 (2) Sales comparison approach, using data for generally  
32 comparable property, excluding values attributable to licenses,  
33 fees, or personal property as determined under 50 IAC 4.2.

34 (3) Income capitalization approach, using an applicable  
35 capitalization method and appropriate capitalization rates that are  
36 developed and used in computations that lead to an indication of  
37 value commensurate with the risks for the subject property use.

38 (c) A township or county assessor is not required to appraise  
39 qualified real property using the three (3) appraisal approaches listed  
40 in subsection (b) if the township or county assessor and the taxpayer  
41 agree before notice of the assessment is given to the taxpayer under  
42 section 22 of this chapter to the determination of the true tax value of



the property by the assessor using one (1) of those appraisal approaches.

(d) To carry out this section, the department of local government finance may adopt rules for assessors to use in gathering and processing information for the application of the income capitalization method. A taxpayer must verify under penalties for perjury any information provided to the assessor for use in the application of the income capitalization method.

SECTION 142. IC 6-3.1-20-7, AS AMENDED BY P.L.166-2014, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The department shall before July 1 of each year determine the greater of:

(1) eight million five hundred thousand dollars (\$8,500,000); or

(2) the amount of credits allowed under this chapter for taxable years ending before January 1 of the year.

(b) Except as provided in subsection ~~(d)~~; ~~(c)~~, one-half (1/2) of the amount determined by the department under subsection (a) shall be

~~(1) deducted during the year from the riverboat admissions tax revenue otherwise payable to the county under IC 4-33-12-6(d)(2); and~~

~~(2) paid instead to the state general fund.~~

~~(c)~~ Except as provided in subsection ~~(d)~~; ~~one-sixth (1/6)~~ of the amount determined by the department under subsection (a) shall be:

~~(1) deducted during the year from the riverboat admissions tax revenue otherwise payable under IC 4-33-12-6(d)(1) to each of the following:~~

~~(A) The largest city by population located in the county.~~

~~(B) The second largest city by population located in the county.~~

~~(C) The third largest city by population located in the county; and~~

~~(2) paid instead to the state general fund.~~

~~(d)~~ ~~(c)~~ If the amount determined by the department under subsection (a)(2) is less than eight million five hundred thousand dollars (\$8,500,000), the difference of:

(1) eight million five hundred thousand dollars (\$8,500,000); minus

(2) the amount determined by the department under subsection (a)(2);

shall be paid to the northwest Indiana regional development authority established by IC 36-7.5-2-1 instead of the state general fund. Any amounts paid under this subsection shall be used by the northwest





1 Indiana regional development authority only to establish or improve  
2 public mass rail transportation systems in Lake County.

3 SECTION 143. IC 6-8.1-1-1, AS AMENDED BY P.L.220-2014,  
4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2024]: Sec. 1. "Listed taxes" or "taxes" includes only the  
6 pari-mutuel taxes (IC 4-31-9-3 through IC 4-31-9-5); ~~the riverboat~~  
7 ~~admissions tax (IC 4-33-12); the riverboat casino~~ wagering tax  
8 (IC 4-33-13); the slot machine wagering tax (IC 4-35-8); the type II  
9 gambling game excise tax (IC 4-36-9); the gross income tax (IC 6-2.1)  
10 (repealed); the utility receipts and utility services use taxes (IC 6-2.3);  
11 the state gross retail and use taxes (IC 6-2.5); the adjusted gross income  
12 tax (IC 6-3); the supplemental net income tax (IC 6-3-8) (repealed); the  
13 county adjusted gross income tax (IC 6-3.5-1.1); the county option  
14 income tax (IC 6-3.5-6); the county economic development income tax  
15 (IC 6-3.5-7); the auto rental excise tax (IC 6-6-9); the financial  
16 institutions tax (IC 6-5.5); the gasoline tax (IC 6-6-1.1); the special fuel  
17 tax (IC 6-6-2.5); the motor carrier fuel tax (IC 6-6-4.1); a motor fuel tax  
18 collected under a reciprocal agreement under IC 6-8.1-3; the motor  
19 vehicle excise tax (IC 6-6-5); the aviation fuel excise tax (IC 6-6-13);  
20 the commercial vehicle excise tax (IC 6-6-5.5); the excise tax imposed  
21 on recreational vehicles and truck campers (IC 6-6-5.1); the hazardous  
22 waste disposal tax (IC 6-6-6.6) (repealed); the cigarette tax (IC 6-7-1);  
23 the beer excise tax (IC 7.1-4-2); the liquor excise tax (IC 7.1-4-3); the  
24 wine excise tax (IC 7.1-4-4); the hard cider excise tax (IC 7.1-4-4.5);  
25 the malt excise tax (IC 7.1-4-5); the petroleum severance tax  
26 (IC 6-8-1); the various innkeeper's taxes (IC 6-9); the various food and  
27 beverage taxes (IC 6-9); the county admissions tax (IC 6-9-13 and  
28 IC 6-9-28); the regional transportation improvement income tax  
29 (IC 8-24-17); the oil inspection fee (IC 16-44-2); the emergency and  
30 hazardous chemical inventory form fee (IC 6-6-10); the penalties  
31 assessed for oversize vehicles (IC 9-20-3 and IC 9-30); the fees and  
32 penalties assessed for overweight vehicles (IC 9-20-4 and IC 9-30); and  
33 any other tax or fee that the department is required to collect or  
34 administer.

35 SECTION 144. IC 6-9-2-3, AS AMENDED BY P.L.172-2011,  
36 SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2024]: Sec. 3. (a) For purposes of this section, the size of a  
38 political subdivision is based on the population determined in the last  
39 federal decennial census.

40 (b) A convention and visitor bureau having nineteen (19) members  
41 is created to promote the development and growth of the convention,  
42 tourism, and visitor industry in the county.



(c) The executives (as defined by IC 36-1-2-5) of the five (5) largest cities and the seven (7) largest towns in the county shall each appoint one (1) member to the bureau. The legislative body (as defined in IC 36-1-2-9) of the two (2) largest municipalities in the county shall each appoint one (1) member to the bureau.

(d) The county council shall appoint two (2) members to the bureau. One (1) of the appointees must be a resident of the fifth largest city in the county, and one (1) of the appointees must be a resident of the eighth largest town in the county. The appointees may not be of the same political party.

(e) The county commissioners shall appoint two (2) members to the bureau. One (1) of the appointees must be a resident of the sixth largest town in the county. One (1) of the appointees must be a resident of the seventh largest town in the county. The appointees may not be of the same political party.

(f) The lieutenant governor shall appoint one (1) member to the bureau.

(g) No appointee under this section may hold an elected or appointed political office while serving on the bureau.

(h) In making appointments under this section, the appointing authority shall give sole consideration to individuals who are knowledgeable about or employed as executives or managers in at least one (1) of the following businesses in the county:

- (1) Hotel.
- (2) Motel.
- (3) Restaurant.
- (4) Travel.
- (5) Transportation.
- (6) Convention.
- (7) Trade show.
- (8) A ~~riverboat~~ **casino** licensed under IC 4-33.
- (9) Banking.
- (10) Real estate.
- (11) Construction.

However, an individual employed by a ~~riverboat~~ **casino** may not be appointed under this section unless the individual holds a Level 1 occupational license issued under IC 4-33-8. This subsection does not apply to board members appointed before July 1, 2007, who are eligible for reappointment after June 30, 2007.

(i) All terms of office of bureau members begin on July 1. Members of the bureau serve terms of three (3) years. A member whose term expires may be reappointed to serve another term. If a vacancy occurs,



1 the appointing authority shall appoint a qualified person to serve for the  
 2 remainder of the term. If an appointment is not made before July 16 or  
 3 a vacancy is not filled within thirty (30) days, the member appointed by  
 4 the lieutenant governor under subsection (f) shall appoint a qualified  
 5 person.

6 (j) A member of the bureau may be removed for cause by the  
 7 member's appointing authority.

8 (k) Members of the bureau may not receive a salary. However,  
 9 bureau members are entitled to reimbursement for necessary expenses  
 10 incurred in the performance of their respective duties.

11 (l) Each bureau member, before entering the member's duties, shall  
 12 take an oath of office in the usual form, to be endorsed upon the  
 13 member's certificate of appointment and promptly filed with the clerk  
 14 of the circuit court of the county.

15 (m) The bureau shall meet after July 1 each year for the purpose of  
 16 organization. The bureau shall elect a chairman from its members. The  
 17 bureau shall also elect from its members a vice chairman, a secretary,  
 18 and a treasurer. The members serving in those offices shall perform the  
 19 duties pertaining to the offices. The first officers chosen shall serve  
 20 until their successors are elected and qualified. A majority of the  
 21 bureau constitutes a quorum, and the concurrence of a majority of those  
 22 present is necessary to authorize any action.

23 (n) If the county and one (1) or more adjoining counties desire to  
 24 establish a joint bureau, the counties shall enter into an agreement  
 25 under IC 36-1-7.

26 (o) Notwithstanding any other law, any bureau member appointed  
 27 as of January 1, 2007, is eligible for reappointment.

28 SECTION 145. IC 6-9-2-4.3, AS AMENDED BY P.L.172-2011,  
 29 SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2024]: Sec. 4.3. (a) The Lake County convention and visitor  
 31 bureau shall establish a convention, tourism, and visitor promotion  
 32 alternate revenue fund (referred to in this chapter as the "alternate  
 33 revenue fund"). The bureau may deposit in the alternate revenue fund  
 34 all money received by the bureau after June 30, 2005, that is not  
 35 required to be deposited in the promotion fund under section 2 of this  
 36 chapter or a fund established by the bureau, including appropriations,  
 37 gifts, grants, membership dues, and contributions from any public or  
 38 private source.

39 (b) The bureau may, without appropriation by the county council,  
 40 expend money from the alternate revenue fund to promote and  
 41 encourage conventions, trade shows, visitors, special events, sporting  
 42 events, and exhibitions in the county. Money may be paid from the



1 alternate revenue fund by claim in the same manner as municipalities  
2 may pay claims under IC 5-11-10-1.6.

3 (c) All money in the alternate revenue fund shall be deposited, held,  
4 secured, invested, and paid in accordance with statutes relating to the  
5 handling of public funds. The handling and expenditure of money in  
6 the alternate revenue fund is subject to audit and supervision by the  
7 state board of accounts.

8 ~~(d) Money derived from the taxes imposed under IC 4-33-12 and~~  
9 ~~IC 4-33-13 may not be transferred to the alternate revenue fund.~~

10 SECTION 146. IC 6-9-2.5-2 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) There is created  
12 a seven (7) member convention and visitor commission (referred to as  
13 the "commission" in this chapter), whose purpose it is to promote the  
14 development and growth of the convention and visitor industry in said  
15 county.

16 (b) The county council, by majority vote, shall appoint two (2)  
17 members of the commission, at least one (1) of whom must be engaged  
18 in the hotel or motel business in the county. The county commissioners,  
19 by majority vote, shall appoint two (2) members of the commission, at  
20 least one (1) of whom must be engaged in the hotel or motel business  
21 in the county. The mayor of a municipality in the county that has the  
22 largest population, as determined in the federal decennial census, shall  
23 appoint three (3) members of the commission. At least one (1) of the  
24 members appointed by the mayor must be engaged in the hotel or motel  
25 business in the county. Beginning with the next appointment available  
26 to the mayor after a ~~riverboat~~ **(as defined in IC 4-33-2-17) casino**  
27 initially begins operation from the county, at least one (1) of the  
28 members appointed by the mayor must represent the interests of  
29 ~~riverboats~~ **casinos** in the county.

30 (c) All terms of office begin on January 1 and end on December 31.  
31 Members of the commission appointed by the county council serve two  
32 (2) year terms. Members appointed by the county commissioners serve  
33 one (1) year terms. Members appointed by the mayor of the largest  
34 municipality in the county serve two (2) year terms. A member whose  
35 term expires may be reappointed to serve another term. If a vacancy  
36 occurs, a qualified person shall be appointed by the original appointing  
37 authority to serve for the remainder of the term.

38 (d) A member of the commission may be removed for cause by ~~his~~  
39 **the member's** appointing authority.

40 (e) Members of the commission may not receive a salary. However,  
41 commission members shall receive reimbursement for necessary  
42 expenses, but only when such necessary expenses are incurred in the



performance of their respective duties.

SECTION 147. IC 7.1-2-3-16.5, AS AMENDED BY P.L.109-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 16.5. (a) As used in this section, "facility" includes the following:

- (1) A facility to which IC 7.1-3-1-25(a) applies.
- (2) A tract that contains a premises that is described in IC 7.1-3-1-14(c)(2).
- (3) A horse track or satellite facility to which IC 7.1-3-17.7 applies.
- (4) A ~~riverboat~~ **casino** or racetrack to which IC 7.1-3-17.5 applies.
- (5) A tract that contains an entertainment complex.

(b) As used in this section, "tract" has the meaning set forth in IC 6-1.1-1-22.5.

(c) A facility may advertise alcoholic beverages:

- (1) in the facility's interior; or
- (2) on the facility's exterior.

(d) The commission may not exercise the prohibition power contained in section 16(a) of this chapter on advertising by a brewer, distiller, rectifier, or vintner in or on a facility.

(e) Notwithstanding IC 7.1-5-5-10 and IC 7.1-5-5-11, a facility may provide advertising to a permittee that is a brewer, an artisan distiller, a distiller, a rectifier, or a vintner in exchange for compensation from that permittee.

SECTION 148. IC 7.1-3-17.5-1, AS AMENDED BY P.L.94-2008, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) The commission may issue a gaming site permit to a person who has been issued:

- (1) a ~~riverboat~~ **casino** owner's license under IC 4-33-6;
- (2) ~~an operating agent contract under IC 4-33-6.5;~~ or
- (3) **(2)** a gambling game license under IC 4-35;

to sell alcoholic beverages for on-premises consumption only. The permit may be a single permit even though more than one (1) area constitutes the licensed premises of the permit.

(b) A permit issued under this chapter to a person who has been issued a ~~riverboat~~ **casino** owner's license ~~or an operating agent contract (as defined in IC 4-33-2-14.6)~~ may be used:

- (1) ~~on~~ **in** the ~~riverboat;~~ **casino;** and
- (2) in a restaurant owned by the person who has been issued a ~~riverboat~~ **casino** owner's license. ~~or an operating agent contract (as defined in IC 4-33-2-14.6)~~ if the restaurant is located on



property adjacent to the property used by the riverboat for docking purposes.

(c) A permit issued under this chapter to a person who has been issued a gambling game license under IC 4-35 may be used at a ~~slot machine gambling game~~ facility licensed under IC 4-35.

SECTION 149. IC 7.1-3-17.5-7, AS ADDED BY P.L.15-2011, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) As used in this section, "gaming facility" refers to one (1) or more of the following:

(1) A ~~riverboat (as defined in IC 4-33-2-17):~~ **casino.**

(2) A ~~slot machine gambling game~~ facility licensed under IC 4-35.

(3) Any hotel, golf course, or other facility that is:

(A) owned by a person holding a gaming site permit; and

(B) related to the operation of the holder's ~~riverboat~~ **casino** or ~~slot machine gambling game~~ facility.

(b) As used in this section, "server" means an individual who serves alcoholic beverages at a gaming facility.

(c) Except as provided in subsection (d), a server is not required to be employed by a person holding a gaming site permit if the server satisfies the following requirements:

(1) The server is employed by a person who:

(A) leases space at a gaming facility for the purpose of providing food or beverages to the patrons of the gaming facility; or

(B) is a caterer or other person contracted to provide food or beverages at an event held at the gaming facility.

(2) The server holds a valid employee permit issued under IC 7.1-3-18-9.

(d) A server who serves alcoholic beverages in a gaming area (as defined in the rules adopted by the Indiana gaming commission) must be employed by a person holding a gaming site permit.

SECTION 150. IC 7.1-3-17.7-1, AS AMENDED BY P.L.233-2007, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Except as provided in subsection (c), the commission may issue a horse track permit to a person who has been issued a recognized meeting permit under IC 4-31-5 to sell alcoholic beverages for on-premises consumption only. The permit may be a single permit even though more than one (1) area constitutes the licensed premises of the permit.

(b) The commission may issue a satellite facility permit to a person who has been issued a satellite facility license under IC 4-31-5.5 to sell



1 alcoholic beverages for on-premises consumption only.

2 (c) This chapter does not apply to a ~~slot machine~~ **gambling game**  
3 facility licensed under IC 4-35.

4 SECTION 151. IC 7.1-5-12-5, AS AMENDED BY P.L.70-2014,  
5 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2024]: Sec. 5. (a) Except as provided in subsection (c) and  
7 subject to section 13 of this chapter, smoking may be allowed in the  
8 following:

9 (1) A horse racing facility operated under a permit under  
10 IC 4-31-5 and any other permanent structure on land owned or  
11 leased by the owner of the facility that is adjacent to the facility.

12 (2) A ~~riverboat (as defined in IC 4-33-2-17)~~ **casino** and any other  
13 permanent structure that is

14 ~~(A) owned or leased by the owner of the riverboat; casino. and~~

15 ~~(B) located on land that is adjacent to:~~

16 ~~(i) the dock to which the riverboat is moored; or~~

17 ~~(ii) the land on which the riverboat is situated in the case of~~  
18 ~~a riverboat described in IC 4-33-2-17(2).~~

19 (3) A facility that operates under a gambling game license under  
20 IC 4-35-5 and any other permanent structure on land owned or  
21 leased by the owner of the facility that is adjacent to the facility.

22 (4) A satellite facility licensed under IC 4-31-5.5.

23 (5) An establishment owned or leased by a business that meets the  
24 following requirements:

25 (A) The business was in business and permitted smoking on  
26 December 31, 2012.

27 (B) The business prohibits entry by an individual who is less  
28 than twenty-one (21) years of age.

29 (C) The owner or operator of the business holds a beer, liquor,  
30 or wine retailer's permit.

31 (D) The business limits smoking in the establishment to either:

32 (i) cigar smoking; or

33 (ii) smoking with a waterpipe or hookah device.

34 (E) During the preceding calendar year, at least ten percent  
35 (10%) of the business's annual gross income was from:

36 (i) the sale of cigars and the rental of onsite humidors; or

37 (ii) the sale of loose tobacco for use in a waterpipe or  
38 hookah device.

39 (F) The person in charge of the business posts in the  
40 establishment conspicuous signs that display the message that  
41 cigarette smoking is prohibited.

42 (6) A premises owned or leased by and regularly used for the



activities of a business that meets all of the following:

(A) The business is exempt from federal income taxation under 26 U.S.C. 501(c).

(B) The business:

(i) meets the requirements to be considered a club under IC 7.1-3-20-1; or

(ii) is a fraternal club (as defined in IC 7.1-3-20-7).

(C) The business provides food or alcoholic beverages only to its bona fide members and their guests.

(D) The business, during a meeting of the business's members, voted within the previous two (2) years to allow smoking on the premises.

(E) The business:

(i) provides a separate, enclosed, designated smoking room or area that is adequately ventilated to prevent migration of smoke to nonsmoking areas of the premises;

(ii) allows smoking only in the room or area described in item (i); and

(iii) does not allow an individual who is less than eighteen (18) years of age to enter into the room or area described in item (i).

(7) A retail tobacco store used primarily for the sale of tobacco products and tobacco accessories that meets the following requirements:

(A) The owner or operator of the store held a valid tobacco sales certificate issued under IC 7.1-3-18.5 on June 30, 2012.

(B) The store prohibits entry by an individual who is less than eighteen (18) years of age.

(C) The sale of products other than tobacco products and tobacco accessories is merely incidental.

(D) The sale of tobacco products accounts for at least eighty-five percent (85%) of the store's annual gross sales.

(E) Food or beverages are not sold in a manner that requires consumption on the premises, and there is not an area set aside for customers to consume food or beverages on the premises.

(8) A bar or tavern:

(A) for which a permittee holds:

(i) a beer retailer's permit under IC 7.1-3-4;

(ii) a liquor retailer's permit under IC 7.1-3-9; or

(iii) a wine retailer's permit under IC 7.1-3-14;

(B) that does not employ an individual who is less than eighteen (18) years of age;





- 1 (C) that does not allow an individual who:
- 2 (i) is less than twenty-one (21) years of age; and
- 3 (ii) is not an employee of the bar or tavern;
- 4 to enter any area of the bar or tavern; and
- 5 (D) that is not located in a business that would otherwise be
- 6 subject to this chapter.
- 7 (9) A cigar manufacturing facility that does not offer retail sales.
- 8 (10) A premises of a cigar specialty store to which all of the
- 9 following apply:
- 10 (A) The owner or operator of the store held a valid tobacco
- 11 sales certificate issued under IC 7.1-3-18.5 on June 30, 2012.
- 12 (B) The sale of tobacco products and tobacco accessories
- 13 account for at least fifty percent (50%) of the store's annual
- 14 gross sales.
- 15 (C) The store has a separate, enclosed, designated smoking
- 16 room that is adequately ventilated to prevent migration of
- 17 smoke to nonsmoking areas.
- 18 (D) Smoking is allowed only in the room described in clause
- 19 (C).
- 20 (E) Individuals who are less than eighteen (18) years of age are
- 21 prohibited from entering into the room described in clause (C).
- 22 (F) Cigarette smoking is not allowed on the premises of the
- 23 store.
- 24 (G) The owner or operator of the store posts a conspicuous
- 25 sign on the premises of the store that displays the message that
- 26 cigarette smoking is prohibited.
- 27 (H) Food or beverages are not sold in a manner that requires
- 28 consumption on the premises, and there is not an area set aside
- 29 for customers to consume food or beverages on the premises.
- 30 (11) The premises of a business that is located in the business
- 31 owner's private residence (as defined in IC 3-5-2-42.5) if the only
- 32 employees of the business who work in the residence are the
- 33 owner and other individuals who reside in the residence.
- 34 (b) The owner, operator, manager, or official in charge of an
- 35 establishment or premises in which smoking is allowed under this
- 36 section shall post conspicuous signs in the establishment that read
- 37 "WARNING: Smoking Is Allowed In This Establishment" or other
- 38 similar language.
- 39 (c) This section does not allow smoking in the following enclosed
- 40 areas of an establishment or premises described in subsection (a)(1)
- 41 through (a)(10):
- 42 (1) Any hallway, elevator, or other common area where an



individual who is less than eighteen (18) years of age is permitted.

(2) Any room that is intended for use by an individual who is less than eighteen (18) years of age.

(d) The owner, operator, or manager of an establishment or premises that is listed under subsection (a) and that allows smoking shall provide a verified statement to the commission that states that the establishment or premises qualifies for the exemption. The commission may require the owner, operator, or manager of an establishment or premises to provide documentation or additional information concerning the exemption of the establishment or premises.

SECTION 152. IC 8-18-8-5, AS AMENDED BY P.L.30-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. All expenses incurred in the maintenance of county highways shall first be paid out of funds from the gasoline tax, special fuel tax, and the motor vehicle registration fees that are paid to the counties by the state. In addition, a county may use funds derived from the:

(1) county motor vehicle excise surtax;

(2) county wheel tax;

(3) county adjusted gross income tax;

(4) county option income tax;

~~(5) riverboat admission tax (IC 4-33-12);~~

~~(6) (5) riverboat casino~~ wagering tax (IC 4-33-13); or

~~(7) (6)~~ property taxes and miscellaneous revenue deposited in the county general fund.

SECTION 153. IC 10-13-3-6, AS AMENDED BY P.L.234-2005, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) As used in this chapter, "criminal justice agency" means any agency or department of any level of government whose principal function is:

(1) the apprehension, prosecution, adjudication, incarceration, probation, rehabilitation, or representation of criminal offenders;

(2) the location of parents with child support obligations under 42 U.S.C. 653;

(3) the licensing and regulating of ~~riverboat casino~~ gambling operations; or

(4) the licensing and regulating of pari-mutuel horse racing operations.

(b) The term includes the following:

(1) The office of the attorney general.

(2) The Medicaid fraud control unit, for the purpose of investigating offenses involving Medicaid.



(3) A nongovernmental entity that performs as its principal function the:

(A) apprehension, prosecution, adjudication, incarceration, or rehabilitation of criminal offenders;

(B) location of parents with child support obligations under 42 U.S.C. 653;

(C) licensing and regulating of ~~riverboat~~ **casino** gambling operations; or

(D) licensing and regulating of pari-mutuel horse racing operations;

under a contract with an agency or department of any level of government.

SECTION 154. IC 12-13-14-4.5, AS AMENDED BY P.L. 197-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4.5. (a) Except as provided in this section, the division may distribute cash assistance benefits to a person who is eligible for assistance under the Title IV-A assistance program through an automated teller machine or a point of sale terminal that is connected to the EBT system.

(b) The following establishments shall post a sign next to each automated teller machine or point of sale terminal located on the premises informing a potential user that the automated teller machine or point of sale terminal may not be used to receive cash assistance benefits under the Title IV-A assistance program:

(1) A horse racing establishment:

(A) where the pari-mutuel system of wagering is authorized; and

(B) for which a permit is required under IC 4-31-5.

(2) A satellite facility:

(A) where wagering on horse racing is conducted; and

(B) for which a license is required under IC 4-31-5.5.

(3) An allowable event required to be licensed by the Indiana gaming commission under IC 4-32.2.

(4) A ~~riverboat~~ **casino** or other facility required to be licensed by the Indiana gaming commission under IC 4-33.

(5) A store or other establishment:

(A) where the primary business is the sale of firearms (as defined in IC 35-47-1-5); and

(B) that sells handguns for which a license to sell handguns is required under IC 35-47-2.

(6) A store or other establishment where the primary business is the sale of alcoholic beverages for which a permit is required



under IC 7.1-3.

(7) An adult entertainment establishment.

(c) An:

(1) establishment that does not post the sign required under subsection (b); or

(2) individual who attempts to use an automated teller machine or point of sale terminal with a sign posted as required under subsection (b) to access cash assistance benefits under the Title IV-A assistance program in violation of subsection (b);

commits a Class C misdemeanor.

(d) The owner, vendor, or third party processor of an automated teller machine or point of sale terminal shall disable or have disabled access to electronic cash assistance benefits in a location described in subsection (b) unless the location has been approved by the federal Food and Nutrition Services. The division shall provide assistance to an owner, vendor, or third party processor under this subsection. A person that violates this subsection commits a Class B infraction.

(e) The division shall adopt rules under IC 4-22-2 to carry out this section.

SECTION 155. IC 12-23-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. The addiction services fund is established for the deposit of excise taxes on alcoholic beverages as described in IC 7.1-4-11. ~~and taxes on riverboat admissions under IC 4-33-12-6.~~

SECTION 156. IC 12-23-2-5, AS AMENDED BY P.L.1-2009, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. The general assembly shall appropriate money from the addiction services fund solely for the purpose of funding programs:

(1) that provide prevention services and intervention and treatment services for individuals who are psychologically or physiologically dependent upon alcohol or other drugs; and

(2) that are for the prevention and treatment of gambling problems.

Programs funded by the addiction services fund must include the creation and maintenance of a toll free telephone line ~~under IC 4-33-12-6(g)(3)~~ to provide the public with information about programs that provide help with gambling, alcohol, and drug addiction problems.

SECTION 157. IC 12-23-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) For each state fiscal year, the division may not spend more than an amount equal to



1 five percent (5%) of the total amount received by the division from the  
 2 fund established under section 2 of this chapter for the administrative  
 3 costs associated with the use of money received from the fund.

4 ~~(b) The division shall allocate at least twenty-five percent (25%) of~~  
 5 ~~the funds derived from the riverboat admissions tax under IC 4-33-12-6~~  
 6 ~~to the prevention and treatment of compulsive gambling.~~

7 ~~(c)~~ **(b)** The division shall reimburse the Indiana gaming commission  
 8 for the costs incurred in administering a voluntary exclusion program  
 9 established under the rules of the Indiana gaming commission. ~~The~~  
 10 ~~division shall pay the reimbursement from funds derived from the~~  
 11 ~~riverboat admissions tax under IC 4-33-12-6.~~

12 SECTION 158. IC 20-26-5-0.3, AS ADDED BY P.L.220-2011,  
 13 SECTION 326, IS AMENDED TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2024]: Sec. 0.3. A donation of proceeds of  
 15 ~~riverboat casino~~ gaming to a public school endowment corporation  
 16 that:

- 17 (1) was made by a political subdivision before July 1, 2000; and
- 18 (2) would have been permitted by IC 20-5-6-9 (as added by
- 19 P.L.17-2000 and before its repeal, later codified at section 21 of
- 20 this chapter, before its repeal) if IC 20-5-6-9 had been in effect
- 21 before July 1, 2000;
- 22 is legalized and validated.

23 SECTION 159. IC 20-26-5-22.5, AS ADDED BY P.L.214-2005,  
 24 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2024]: Sec. 22.5. (a) A school corporation may participate in  
 26 the establishment of a public school foundation.

27 (b) The governing body of a school corporation may receive the  
 28 proceeds of a grant, a restricted gift, an unrestricted gift, a donation, an  
 29 endowment, a bequest, a trust, ~~an agreement to share tax revenue~~  
 30 ~~received by a city or county under IC 4-33-12-6 or IC 4-33-13,~~ or other  
 31 funds not generated from taxes levied by the school corporation to  
 32 create a foundation under the following conditions:

- 33 (1) The foundation is:
  - 34 (A) exempt from federal income taxation under Section
  - 35 501(c)(3) of the Internal Revenue Code; and
  - 36 (B) organized as an Indiana nonprofit corporation for the
  - 37 purposes of providing educational funds for scholarships,
  - 38 teacher education, capital programs, and special programs for
  - 39 school corporations.
- 40 (2) Except as provided in subdivision (3), the foundation retains
- 41 all rights to a donation, including investment powers. The
- 42 foundation may hold a donation as a permanent endowment.



(3) The foundation agrees to do the following:

(A) Distribute the income from a donation only to the school corporation.

(B) Return a donation to the general fund of the school corporation if the foundation:

(i) loses the foundation's status as a foundation exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code;

(ii) is liquidated; or

(iii) violates any condition set forth in this subdivision.

(c) A school corporation may use the proceeds received under this section from a foundation only for educational purposes of the school corporation described in subsection (b)(1)(B).

(d) The governing body of the school corporation may appoint members to the foundation.

(e) The treasurer of the governing body of the school corporation may serve as the treasurer of the foundation.

SECTION 160. IC 20-47-1-1 IS REPEALED [EFFECTIVE JULY 1, 2024]. ~~Sec. 1. As used in this chapter, "proceeds from riverboat gaming" means tax revenue received by a political subdivision under IC 4-33-12-6, IC 4-33-13, or an agreement to share a city's or county's part of the tax revenue.~~

SECTION 161. IC 20-47-1-5, AS AMENDED BY P.L.142-2009, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The governing body of a school corporation may donate the proceeds of a grant, a gift, a donation, an endowment, a bequest, a trust, ~~an agreement to share tax revenue received by a city or county under IC 4-33-12-6 or IC 4-33-13,~~ or an agreement to share revenue received by a political subdivision under IC 4-35-8.5, or other funds not generated from taxes levied by the school corporation, to a foundation under the following conditions:

(1) The foundation is a charitable nonprofit community foundation.

(2) The foundation retains all rights to the donation, including investment powers, except as provided in subdivision (3).

(3) The foundation agrees to do the following:

(A) Hold the donation as a permanent endowment.

(B) Distribute the income from the donation only to the school corporation as directed by resolution of the governing body of the school corporation.

(C) Return the donation to the general fund of the school corporation if the foundation:



- (i) loses the foundation's status as a public charitable organization;
- (ii) is liquidated; or
- (iii) violates any condition of the endowment set by the governing body of the school corporation.

(b) A school corporation may use income received under this section from a community foundation only for purposes of the school corporation.

SECTION 162. IC 34-30-2-6.5, AS ADDED BY P.L.80-2010, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6.5. IC 4-33-8.5-4 (Concerning persons holding licenses regarding **riverboat casino** gambling that make payments of cash winnings to obligors in violation of IC 4-33-4-27 or that act in compliance with IC 4-33-4-27).

SECTION 163. IC 35-45-5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. This chapter does not apply to **riverboat casino** gambling authorized by IC 4-33.

SECTION 164. IC 35-52-4-24, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 24. IC 4-33-10-1 defines a crime concerning **riverboat casino** gambling.

SECTION 165. IC 35-52-4-25, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 25. IC 4-33-10-2 defines a crime concerning **riverboat casino** gambling.

SECTION 166. IC 35-52-4-26, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 26. IC 4-33-10-2.1 defines a crime concerning **riverboat casino** gambling.

SECTION 167. IC 35-52-4-27, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 27. IC 4-33-10-2.5 defines a crime concerning **riverboat casino** gambling.

SECTION 168. IC 35-52-4-28, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 28. IC 4-33-10-6 defines a crime concerning **riverboat casino** gambling.

SECTION 169. IC 36-1-8-9, AS AMENDED BY P.L.199-2005, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) Each unit that receives

(1) tax revenue under IC 4-33-12-6 or IC 4-33-13;

(2) revenue under an agreement to share the tax revenue received



1           ~~under IC 4-33-12 or IC 4-33-13 by another unit; or~~

2           ~~(3) revenue under a development agreement (as defined in section~~  
 3           ~~9.5 of this chapter)~~

4           may establish a **riverboat casino** fund. Money in the fund may be used  
 5           for any legal or corporate purpose of the unit.

6           (b) The **riverboat casino** fund established under subsection (a) shall  
 7           be administered by the unit's treasurer, and the expenses of  
 8           administering the fund shall be paid from money in the fund. Money in  
 9           the fund not currently needed to meet the obligations of the fund may  
 10          be invested in the same manner as other public funds may be invested.  
 11          Interest that accrues from these investments shall be deposited in the  
 12          fund. Money in the fund at the end of a particular fiscal year does not  
 13          revert to the unit's general fund.

14          SECTION 170. IC 36-1-8-9.1, AS ADDED BY P.L.220-2011,  
 15          SECTION 640, IS AMENDED TO READ AS FOLLOWS  
 16          [EFFECTIVE JULY 1, 2024]: Sec. 9.1. (a) A fund that:

17           (1) was established by a unit before July 1, 1997; and

18           (2) would have been considered a **riverboat casino** fund for  
 19           purposes of section 9 of this chapter if section 9 of this chapter  
 20           had been in effect before July 1, 1997;

21          is legalized and validated.

22          (b) A fund described in subsection (a) is considered a **riverboat**  
 23          **casino** fund for purposes of section 9 of this chapter.

24          SECTION 171. IC 36-1-14-1, AS AMENDED BY P.L.142-2009,  
 25          SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26          JULY 1, 2024]: Sec. 1. (a) This section does not apply to donations of  
 27          gaming revenue to a public school endowment corporation under  
 28          IC 20-47-1-3.

29          (b) As used in this section, "gaming revenue" means ~~either of the~~  
 30          following

31           ~~(1) Tax revenue received by a unit under IC 4-33-12-6,~~  
 32           ~~IC 4-33-13; or an agreement to share a city's or county's part of~~  
 33           ~~the tax revenue;~~

34           ~~(2) revenue received by a unit under IC 4-35-8.5 or an agreement~~  
 35           ~~to share revenue received by another unit under IC 4-35-8.5.~~

36          (c) Notwithstanding IC 8-1.5-2-6(d), a unit may donate the proceeds  
 37          from the sale of a utility or facility or from a grant, a gift, a donation,  
 38          an endowment, a bequest, a trust, or gaming revenue to a foundation  
 39          under the following conditions:

40           (1) The foundation is a charitable nonprofit community  
 41           foundation.

42           (2) The foundation retains all rights to the donation, including





investment powers.

(3) The foundation agrees to do the following:

(A) Hold the donation as a permanent endowment.

(B) Distribute the income from the donation only to the unit as directed by resolution of the fiscal body of the unit.

(C) Return the donation to the general fund of the unit if the foundation:

(i) loses the foundation's status as a public charitable organization;

(ii) is liquidated; or

(iii) violates any condition of the endowment set by the fiscal body of the unit.

SECTION 172. IC 36-4-8-15.5, AS ADDED BY P.L.182-2009(ss), SECTION 403, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15.5. (a) This section applies to:

(1) a city or county in which a ~~riverboat (as defined in IC 4-33-2-17)~~ **casino** is ~~docked or~~ located or gambling games (as defined in IC 4-35-2-5) are located; and

(2) a school corporation that is located in any part in a county described in subdivision (1) or in a county in which a city described in subdivision (1) is located.

(b) A city or county may do any of the following:

(1) Enter into one (1) or more agreements or leases with the school corporation or another public or private entity to provide for the construction or renovation of a school building that will be used by the school corporation. The agreements and leases may provide for the financing of the construction or renovation of the school building.

(2) A school building constructed or renovated as provided in subdivision (1) may be donated, sold, or leased to the school corporation under the conditions determined by the school corporation and the city or county.

(3) The city or county may use any revenues (including any gaming revenues) to pay for the construction or renovation of the school building or to finance the construction or renovation of the school building.

SECTION 173. IC 36-7-7.6-18, AS AMENDED BY P.L.39-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 18. (a) The commission shall prepare and adopt an annual appropriation budget for its operation. The appropriation budget shall be apportioned to each participating county on a pro rata per capita basis. After adoption of the appropriation budget, any



amount that does not exceed an amount for each participating county equal to seventy cents (\$0.70) per capita for each participating county shall be certified to the respective county auditor.

(b) A county's portion of the commission's appropriation budget may be paid from any of the following, as determined by the county fiscal body:

- (1) Property tax revenue as provided in subsections (c) and (d).
- (2) Any other local revenue, other than property tax revenue, received by the county, including local option income tax revenue under IC 6-3.5, excise tax revenue, ~~riverboat admissions tax revenue, riverboat casino~~ wagering tax revenue, ~~riverboat casino~~ incentive payments, and any funds received from the state that may be used for this purpose.

(c) The county auditor shall:

- (1) advertise the amount of property taxes that the county fiscal body determines will be levied to pay the county's portion of the commission's appropriation budget, after the county fiscal body determines the amount of other local revenue that will be paid under subsection (b)(2); and
- (2) establish the rate necessary to collect that property tax revenue;

in the same manner as for other county budgets.

(d) The tax levied under this section and certified shall be estimated and entered upon the tax duplicates by the county auditor and shall be collected and enforced by the county treasurer in the same manner as other county taxes are estimated, entered, collected, and enforced. The tax collected by the county treasurer shall be transferred to the commission.

(e) In fixing and determining the amount of the necessary levy for the purpose provided in this section, the commission shall take into consideration the amount of revenue, if any, to be derived from federal grants, contractual services, and miscellaneous revenues above the amount of those revenues considered necessary to be applied upon or reserved upon the operation, maintenance, and administrative expenses for working capital throughout the year.

(f) After the budget is approved, amounts may not be expended except as budgeted unless the commission authorizes their expenditure. Before the expenditure of sums appropriated as provided in this section, a claim must be filed and processed as other claims for allowance or disallowance for payment as provided by law.

(g) Any two (2) of the following officers may allow claims:

- (1) Chairperson.



1 (2) Vice chairperson.

2 (3) Secretary.

3 (4) Treasurer.

4 (h) The treasurer of the commission may receive, disburse, and  
5 otherwise handle funds of the commission, subject to applicable  
6 statutes and to procedures established by the commission.

7 (i) The commission shall act as a board of finance under the statutes  
8 relating to the deposit of public funds by political subdivisions.

9 (j) Any appropriated money remaining unexpended or  
10 unencumbered at the end of a year becomes part of a nonreverting  
11 cumulative fund to be held in the name of the commission. Unbudgeted  
12 expenditures from this fund may be authorized by vote of the  
13 commission and upon other approval as required by statute. The  
14 commission is responsible for the safekeeping and deposit of the  
15 amounts in the nonreverting cumulative fund, and the state board of  
16 accounts shall prescribe the methods and forms for keeping the  
17 accounts, records, and books to be used by the commission. The books,  
18 records, and accounts of the commission shall be audited periodically  
19 by the state board of accounts, and those audits shall be paid for as  
20 provided by statute.

21 SECTION 174. IC 36-7-11.5-3.5, AS ADDED BY P.L.234-2007,  
22 SECTION 283, IS AMENDED TO READ AS FOLLOWS  
23 [EFFECTIVE JULY 1, 2024]: Sec. 3.5. (a) The Orange County  
24 development commission is established.

25 (b) The development commission consists of the following  
26 members:

27 (1) An individual appointed by the legislative body of Orange  
28 County.

29 (2) An individual appointed by the legislative body of the town of  
30 French Lick.

31 (3) An individual appointed by the legislative body of the town of  
32 West Baden.

33 (4) An individual appointed by the legislative body of the town of  
34 Paoli.

35 (5) An individual appointed by the legislative body of the town of  
36 Orleans.

37 (6) A nonvoting member appointed by the governor.

38 (c) The members of the development commission shall each serve  
39 for a term of three (3) years. A vacancy shall be filled for the duration  
40 of the term by the original appointing authority.

41 (d) Each member of the development commission must, before  
42 beginning the discharge of the duties of the member's office, do the



1 following:

2 (1) Take an oath that the member will faithfully execute the duties  
3 of the member's office according to Indiana law and rules adopted  
4 under Indiana law.

5 (2) Provide a bond to the state:

6 (A) for twenty-five thousand dollars (\$25,000); and

7 (B) that is, after being executed and approved, recorded in the  
8 office of the secretary of state.

9 (e) A member of the development commission is not entitled to a  
10 salary per diem. However, a member is entitled to reimbursement for  
11 travel expenses incurred in connection with the member's duties, as  
12 provided in the state travel policies and procedures established by the  
13 department of administration and approved by the budget agency.

14 (f) An individual who is an employee of a county or town described  
15 in subsection (b) may not be appointed to the development commission  
16 until at least three (3) years after the date the individual's employment  
17 with the county or town is terminated.

18 (g) An individual who is a member of any other board serving a  
19 county or town described in subsection (b) may not be appointed to the  
20 development commission until at least three (3) years after the date the  
21 individual's membership on the board expires.

22 (h) An individual who is:

23 (1) employed by the hotel ~~riverboat~~ **casino** resort or an affiliated  
24 business;

25 (2) contracted or hired to perform a service for the hotel ~~riverboat~~  
26 **casino** resort or an affiliated business; or

27 (3) engaged in any other form of a business relationship with the  
28 hotel ~~riverboat~~ **casino** resort or an affiliated business;

29 may not be appointed to the development commission until at least  
30 three (3) years after the date on which the individual's employment or  
31 business relationship with the hotel ~~riverboat~~ **casino** resort or an  
32 affiliated business is terminated.

33 SECTION 175. IC 36-7-11.5-7, AS AMENDED BY P.L.234-2007,  
34 SECTION 286, IS AMENDED TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The development commission  
36 shall do the following:

37 (1) Employ an administrator and other professional staff  
38 necessary to assist the development commission in carrying out  
39 its duties.

40 (2) Facilitate and coordinate the development of Orange County.

41 ~~(3) Serve as a liaison between the riverboat located in a historic~~  
42 ~~hotel district and the political subdivisions located in Orange~~



County:

~~(4)~~ (3) Facilitate and coordinate the appropriate development of the historical environment of the towns of French Lick and West Baden.

~~(5)~~ (4) Establish a grant program to provide financial support to community organizations in Orange County.

(b) The development commission may do the following:

(1) Engage consultants, attorneys, accountants, and other professionals necessary to carry out the development commission's duties.

(2) Award grants and low interest loans to promote economic development through tourism in Orange County.

(c) The development commission shall:

(1) promote economic development through tourism;

(2) attract new business;

(3) improve housing; and

(4) engage in any other activity that promotes the development of Orange County.

SECTION 176. IC 36-7-11.5-11, AS AMENDED BY P.L.229-2011, SECTION 266, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) As used in this section, "fund" refers to the West Baden Springs historic hotel preservation and maintenance fund established by subsection (b).

(b) The West Baden Springs historic hotel preservation and maintenance fund is established. The fund consists of the following:

(1) Amounts deposited in the fund under ~~IC 4-33-6.5-6,~~ IC 4-33-12-6(c) and IC 4-33-13-5(b).

(2) Grants and gifts that the department of natural resources receives for the fund under terms, obligations, and liabilities that the department considers appropriate.

~~(3) The one million dollar (\$1,000,000) initial fee paid to the gaming commission under IC 4-33-6.5.~~

~~(4)~~ (3) Any amount transferred to the fund upon the repeal of IC 36-7-11.5-8 (the community trust fund).

The fund shall be administered by the department of natural resources. The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund that is not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. The treasurer of state shall deposit in the fund the interest that accrues from the investment of the fund.



(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) The interest accruing to the fund is annually appropriated to the department of natural resources only for the following purposes:

(1) To reimburse claims made for expenditures to maintain a qualified historic hotel, as determined by the owner of the hotel ~~riverboat~~ **casino** resort.

(2) To reimburse claims made for expenditures to maintain:

(A) the grounds surrounding a qualified historic hotel;

(B) supporting buildings and structures related to a qualified historic hotel; and

(C) other facilities used by the guests of the qualified historic hotel;

as determined by the owner of the hotel ~~riverboat~~ **casino** resort.

(f) The department of natural resources shall promptly pay each claim for a purpose described in subsection (e) to the extent of the balance of interest available in the fund, without review or approval of the project or claim under IC 14-21 or IC 36-7-11. IC 14-21-1-18 does not apply to projects or claims paid for maintenance under this section. If insufficient money is available to fully pay all of the submitted claims, the department of natural resources shall pay the claims in the order in which they are received until each claim is fully paid.

(g) Notwithstanding IC 4-9.1-1-7, IC 4-12-1-12, IC 4-13-2-18, or any other law, interest accruing to the fund may not be withheld, transferred, assigned, or reassigned to a purpose other than the reimbursement of claims under subsection (f).

SECTION 177. IC 36-7-11.5-12, AS ADDED BY P.L.234-2007, SECTION 288, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) The Orange County development advisory board is established for the purpose of advising the development commission established under section 3.5 of this chapter.

(b) The advisory board consists of five (5) members appointed as follows:

(1) One (1) individual appointed by the speaker of the house of representatives.

(2) One (1) individual appointed by the president pro tempore of the senate.

(3) One (1) individual appointed by the Orange County convention and visitors bureau.

(4) Two (2) individuals appointed by the chief operating officer of the hotel ~~riverboat~~ **casino** resort.



(c) Except as provided in subsection (d), the members of the advisory board shall each serve for a term of four (4) years. A vacancy shall be filled for the duration of the term by the original appointing authority.

(d) The member appointed under subsection (b)(3) shall serve an initial term of one (1) year. As determined by the appointing authority, the two (2) members appointed under subsection (b)(4) shall serve initial terms of two (2) and three (3) years respectively.

(e) A member of the advisory board is not entitled to a salary per diem. However, a member is entitled to reimbursement for travel expenses incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency.

SECTION 178. IC 36-7.5-2-3, AS AMENDED BY P.L.119-2012, SECTION 216, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The development authority is governed by the development board appointed under this section.

(b) Except as provided in subsections (e), (f), and (h), the development board is composed of the following seven (7) members:

(1) Two (2) members appointed by the governor. One (1) of the members appointed by the governor under this subdivision must be an individual nominated under subsection (d). The members appointed by the governor under this subdivision serve at the pleasure of the governor.

(2) The following members from a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) One (1) member appointed by the mayor of the largest city in the county in which a **riverboat casino** is located.

(B) One (1) member appointed by the mayor of the second largest city in the county in which a **riverboat casino** is located.

(C) One (1) member appointed by the mayor of the third largest city in the county in which a **riverboat casino** is located.

(D) One (1) member appointed jointly by the county executive and the county fiscal body. A member appointed under this clause may not reside in a city described in clause (A), (B), or (C).

(3) One (1) member appointed jointly by the county executive and county fiscal body of a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred



1 seventy thousand (170,000).

2 (c) A member appointed to the development board must have  
3 knowledge and at least five (5) years professional work experience in  
4 at least one (1) of the following:

- 5 (1) Rail transportation or air transportation.
- 6 (2) Regional economic development.
- 7 (3) Business or finance.

8 (d) The mayor of the largest city in a county having a population of  
9 more than one hundred fifty thousand (150,000) but less than one  
10 hundred seventy thousand (170,000) shall nominate three (3) residents  
11 of the county for appointment to the development board. One (1) of the  
12 governor's initial appointments under subsection (b)(1) must be an  
13 individual nominated by the mayor. At the expiration of the member's  
14 term, the mayor of the second largest city in the county shall nominate  
15 three (3) residents of the county for appointment to the development  
16 board. One (1) of the governor's appointments under subsection (b)(1)  
17 must be an individual nominated by the mayor. Thereafter, the  
18 authority to nominate the three (3) individuals from among whom the  
19 governor shall make an appointment under subsection (b)(1) shall  
20 alternate between the mayors of the largest and the second largest city  
21 in the county at the expiration of a member's term.

22 (e) A county having a population of more than one hundred eleven  
23 thousand (111,000) but less than one hundred fifteen thousand  
24 (115,000) shall be an eligible county participating in the development  
25 authority if the fiscal body of the county adopts an ordinance before  
26 September 15, 2006, providing that the county is joining the  
27 development authority and the fiscal body of a city that is located in the  
28 county and that has a population of more than thirty-one thousand  
29 (31,000) but less than thirty-one thousand five hundred (31,500) adopts  
30 an ordinance before September 15, 2006, providing that the city is  
31 joining the development authority. Notwithstanding subsection (b), if  
32 ordinances are adopted under this subsection and the county becomes  
33 an eligible county participating in the development authority:

- 34 (1) the development board shall be composed of nine (9)
- 35 members rather than seven (7) members; and
- 36 (2) the additional two (2) members shall be appointed in the
- 37 following manner:
  - 38 (A) One (1) additional member shall be appointed by the
  - 39 governor and shall serve at the pleasure of the governor. The
  - 40 member appointed under this clause must be an individual
  - 41 nominated under subsection (f).
  - 42 (B) One (1) additional member shall be appointed jointly by





1 the county executive and county fiscal body.

2 (f) This subsection applies only if the county described in subsection  
3 (e) is an eligible county participating in the development authority. The  
4 mayor of the largest city in the county described in subsection (e) shall  
5 nominate three (3) residents of the county for appointment to the  
6 development board. The governor's initial appointment under  
7 subsection (e)(2)(A) must be an individual nominated by the mayor. At  
8 the expiration of the member's term, the mayor of the second largest  
9 city in the county described in subsection (e) shall nominate three (3)  
10 residents of the county for appointment to the development board. The  
11 governor's second appointment under subsection (e)(2)(A) must be an  
12 individual nominated by the mayor. Thereafter, the authority to  
13 nominate the three (3) individuals from among whom the governor  
14 shall make an appointment under subsection (e)(2)(A) shall alternate  
15 between the mayors of the largest and the second largest city in the  
16 county at the expiration of a member's term.

17 (g) An individual or entity required to make an appointment under  
18 subsection (b) or nominations under subsection (d) must make the  
19 initial appointment before September 1, 2005, or the initial nomination  
20 before August 15, 2005. If an individual or entity does not make an  
21 initial appointment under subsection (b) before September 1, 2005, or  
22 the initial nominations required under subsection (d) before September  
23 1, 2005, the governor shall instead make the initial appointment.

24 (h) Subsection (i) applies only to municipalities located in a county  
25 that:

- 26 (1) has a population of more than one hundred fifty thousand
- 27 (150,000) but less than one hundred seventy thousand (170,000);
- 28 and
- 29 (2) was a member of the development authority on January 1,
- 30 2009, and subsequently ceases to be a member of the
- 31 development authority.

32 (i) If the fiscal bodies of at least two (2) municipalities subject to  
33 this subsection adopt ordinances to become members of the  
34 development authority, those municipalities shall become members of  
35 the development authority. If two (2) or more municipalities become  
36 members of the development authority under this subsection, the fiscal  
37 bodies of the municipalities that become members of the development  
38 authority shall jointly appoint one (1) member of the development  
39 board who shall serve in place of the member described in subsection  
40 (b)(3). A municipality that becomes a member of the development  
41 authority under this subsection is considered an eligible municipality  
42 for purposes of this article.



SECTION 179. IC 36-7.5-4-1, AS AMENDED BY P.L.182-2009(ss), SECTION 425, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) The development board shall establish and administer a development authority fund.

(b) The development authority fund consists of the following:

(1) ~~Riverboat admissions tax revenue, riverboat Casino~~ wagering tax revenue, or ~~riverboat casino~~ incentive payments received by a city or county described in IC 36-7.5-2-3(b) and transferred by the county or city to the fund.

(2) County economic development income tax revenue received under IC 6-3.5-7 by a county or city and transferred by the county or city to the fund.

(3) Amounts distributed under IC 8-15-2-14.7.

(4) Food and beverage tax revenue deposited in the fund under IC 6-9-36-8.

(5) Funds received from the federal government.

(6) Appropriations to the fund by the general assembly.

(7) Other local revenue appropriated to the fund by a political subdivision.

(8) Gifts, donations, and grants to the fund.

(c) The development authority shall establish a development authority fund. The development board shall establish and administer a general account, a lease rental account, and such other accounts in the fund as are necessary or appropriate to carry out the powers and duties of the development authority. Except as otherwise provided by law or agreement with holders of any obligations of the development authority, all money transferred to the development authority fund under subsection (b)(1), (b)(2), and (b)(4) shall be deposited in the lease rental account and used only for the payment of or to secure the payment of obligations of an eligible political subdivision under a lease entered into by an eligible political subdivision and the development authority under this chapter. However, any money deposited in the lease rental account and not used for the purposes of this subsection shall be returned by the treasurer of the development authority to the respective counties and cities that contributed the money to the development authority.

(d) If the amount of money transferred to the development authority fund under subsection (b)(1), (b)(2), and (b)(4) for deposit in the lease rental account in any one (1) calendar year is greater than an amount equal to:

(1) one and twenty-five hundredths (1.25); multiplied by

(2) the total of the highest annual debt service on any bonds then



1 outstanding to their final maturity date, which have been issued  
 2 under this article and are not secured by a lease, plus the highest  
 3 annual lease payments on any leases to their final maturity, which  
 4 are then in effect under this article;

5 all or a portion of the excess may instead be deposited in the general  
 6 account.

7 (e) Except as otherwise provided by law or agreement with the  
 8 holders of obligations of the development authority, all other money  
 9 and revenues of the development authority may be deposited in the  
 10 general account or the lease rental account at the discretion of the  
 11 development board. Money on deposit in the lease rental account may  
 12 be used only to make rental payments on leases entered into by the  
 13 development authority under this article. Money on deposit in the  
 14 general account may be used for any purpose authorized by this article.

15 (f) The development authority fund shall be administered by the  
 16 development authority.

17 (g) Money in the development authority fund shall be used by the  
 18 development authority to carry out this article and does not revert to  
 19 any other fund.

20 SECTION 180. IC 36-7.5-4-2, AS AMENDED BY P.L.119-2012,  
 21 SECTION 217, IS AMENDED TO READ AS FOLLOWS  
 22 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) Except as provided in  
 23 subsection (b), beginning in 2006 the fiscal officer of each city and  
 24 county described in IC 36-7.5-2-3(b) shall each transfer three million  
 25 five hundred thousand dollars (\$3,500,000) each year to the  
 26 development authority for deposit in the development authority fund  
 27 established under section 1 of this chapter. However, if a county having  
 28 a population of more than one hundred fifty thousand (150,000) but  
 29 less than one hundred seventy thousand (170,000) ceases to be a  
 30 member of the development authority and two (2) or more  
 31 municipalities in the county have become members of the development  
 32 authority as authorized by IC 36-7.5-2-3(i), the transfer of county  
 33 economic development income tax transferred under  
 34 IC 6-3.5-7-13.1(b)(4) is the contribution of the municipalities in the  
 35 county that have become members of the development authority.

36 (b) This subsection applies only if:

37 (1) the fiscal body of the county described in IC 36-7.5-2-3(e) has  
 38 adopted an ordinance under IC 36-7.5-2-3(e) providing that the  
 39 county is joining the development authority;

40 (2) the fiscal body of the city described in IC 36-7.5-2-3(e) has  
 41 adopted an ordinance under IC 36-7.5-2-3(e) providing that the  
 42 city is joining the development authority; and



(3) the county described in IC 36-7.5-2-3(e) is an eligible county participating in the development authority.

Beginning in 2007, the fiscal officer of the county described in IC 36-7.5-2-3(e) shall transfer two million six hundred twenty-five thousand dollars (\$2,625,000) each year to the development authority for deposit in the development authority fund established under section 1 of this chapter. Beginning in 2007, the fiscal officer of the city described in IC 36-7.5-2-3(e) shall transfer eight hundred seventy-five thousand dollars (\$875,000) each year to the development authority for deposit in the development authority fund established under section 1 of this chapter.

(c) The following apply to the transfers required by subsections (a) and (b):

(1) Except for transfers of money described in subdivision (4)(D), the transfers shall be made without appropriation by the city or county fiscal body or approval by any other entity.

(2) Except as provided in subdivision (3), after December 31, 2005, each fiscal officer shall transfer eight hundred seventy-five thousand dollars (\$875,000) to the development authority fund before the last business day of January, April, July, and October of each year. Food and beverage tax revenue deposited in the fund under IC 6-9-36-8 is in addition to the transfers required by this section.

(3) After December 31, 2006, the fiscal officer of the county described in IC 36-7.5-2-3(e) shall transfer six hundred fifty-six thousand two hundred fifty dollars (\$656,250) to the development authority fund before the last business day of January, April, July, and October of each year. The county is not required to make any payments or transfers to the development authority covering any time before January 1, 2007. The fiscal officer of a city described in IC 36-7.5-2-3(e) shall transfer two hundred eighteen thousand seven hundred fifty dollars (\$218,750) to the development authority fund before the last business day of January, April, July, and October of each year. The city is not required to make any payments or transfers to the development authority covering any time before January 1, 2007.

(4) The transfers shall be made from one (1) or more of the following:

(A) ~~Riverboat admissions tax revenue received by the city or county, riverboat~~ Casino wagering tax revenue received by the city or county, or ~~riverboat casino~~ incentive payments received from a ~~riverboat casino~~ licensee by the city or county.



- 1 (B) Any county economic development income tax revenue
- 2 received under IC 6-3.5-7 by the city or county.
- 3 (C) Any other local revenue other than property tax revenue
- 4 received by the city or county.
- 5 (D) In the case of a county described in IC 36-7.5-2-3(e) or a
- 6 city described in IC 36-7.5-2-3(e), any money from the major
- 7 moves construction fund that is distributed to the county or
- 8 city under IC 8-14-16.

